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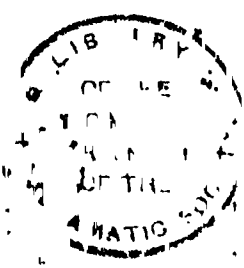
STEIN AND THE ERA OF REFORM IN PRUSSIA, 1807-1815

BY

GUY STANTON FORD

PROFESSOR OF HISTORY IN THE
UNIVERSITY OF MINNESOTA

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PREFACE

The literature of Prussian-German history in English is very scanty and most of it relates to the last seventy-five years. The period covered by this brief biography has been treated by Seeley in his "Life and Times of Stein." That diffuse work is nevertheless a very substantial composite of the German historical work available forty years ago. It does a little more for Stein biographically than can be found in Pertz's undigested collection of documents. The appearance of Lehmann's great biography and the controversial literature it aroused and of many special studies and new interpretations of men and of phases of the history of the years after Frederick the Great have made both Pertz and Seeley unsatisfactory. With this new material at hand it was clearly worth while to study anew the work of Stein. In doing this I have especially sought to give even in this brief compass a more adequate account than has hitherto been available in English of the economic conditions preceding the edict of 1807 and to point out that its importance is as a program rather than as a reorganization of the Prussia of that day.

The writing of this biography was undertaken some years ago, before the World War. Indeed much of it was worked out before 1914, and all of it was ready for final revision when the United States entered the struggle. It was then laid aside for other duties. In taking it up again, I have not found it necessary to modify any tribute to the essential greatness of the work of Stein and his associates. This in itself, it seems to me, is an even greater tribute to the enduring

importance and high moral character of a statesman who, a century ago, believed in a non-Prussian and super-Prussian Germany based upon self-government and a limited monarchy. I have taken equal pains to point out the failure of his attempts to put Prussia in step with his own and later times. Without such emphasis, which seems to me wanting in previous biographies, one could not understand Prussian history during the last century.

An author is always a debtor whose work is underwritten by the labors of others. I have been sparing of footnotes, but I have given, I hope, at essential points sufficient indications of my obligations to other writers. Worthy of special mention are Lehmann's three volumes on Stein. Although I am not able to accept one of his main theses in the form in which he develops it, I have a profound respect for his scholarship. No one can write on this period without reckoning with his extensive labors in throwing light on matters untouched by Pertz and Seeley. I have found him especially helpful in the account of the years before 1804. My obligations to personal friends are few but profound. Professor Carl Becker of Cornell has read and criticized most of the manuscript and for that service any reader should be as grateful as I am. My colleagues, Professor A. C. Krey and Professor S. B. Harding, have given me the benefit of their criticism on a considerable part of the work to its advantage, and Dean Edwin F. Gay, formerly of Harvard, did a similar service for chapters VI and VII. I would especially acknowledge the kindness of Professor A. C. Coolidge of the Harvard University library in putting its resources at my disposal under exceptionally pleasant working conditions.

GUY STANTON FORD.

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STEIN AND THE ERA OF REFORM IN PRUSSIA, 1807-1815

CHAPTER I

Youth and Education

Five centuries span the rule of the Hohenzollerns in Brandenburg-Prussia from 1415 to 1918. The history of the first three centuries contains little that seems of vital significance to any one but themselves and the people of the inhospitable frontier military colony over which they ruled. The drab procession of margraves and electors before 1713 is relieved by only one name of outstanding importance, that of Frederick William, the Great Elector. In the next century the dynasty produced one great administrator in Frederick William I and one genius, his son, Frederick the Great. Whether great or petty, weak or strong, the unbroken succession from this one house built up in four centuries by dynastic policies nicely fitted to the needs of a self-centred state, a powerful monarchy resting upon military force, bureaucratic administration and a feudal agrarian social and economic order. Not until the nineteenth century were there any great Prussian ministers who might be named with those who since the days of Sully had served the French kings or since Wolsey advised the rulers of England. The Hohenzollerns arrogated to themselves all power and forced on their people despite limited resources and unfavor-

able geographical location the rôle of a great power first in German and then in European affairs.

All this was possible in the old Europe in which Frederick the Great played his part and on which he closed his eyes in 1786. The French Revolution and the Napoleonic era from 1789 to 1815 created a new heaven and a new earth. The old Prussia seemingly disappeared forever in the cataclysm. For a brief period of years the harsh dynastic military state was shaken to its foundations. The humiliation of Napoleonic occupation and spoliation after 1806 fused for one brief moment the monarch and the masses and turned the energies of noble, burgher, peasant and prince to the task of rebuilding the Prussian state for the sake of nationality and liberation. For eight brief years the old age and the new, the best of the Frederickian order and the impulses of the new Prussia, the newer Germany, the newer Europe were combined in the work of reform and regeneration. The nineteenth century saw the Prussian state, partly by necessity and partly by choice, renew the old Frederickian dynastic policy of militarism and eighteenth century diplomacy. The work of the reformers was but half done, and a new social and political order was not fully established between 1807 and 1815. Its completion must await the slow working of economic forces or the dynamic pressure of another compelling international political crisis.

Those eight unique years between the Prussia that glorified Frederick the Great and the Prussia led by Bismarck have in themselves a singular interest. The era of Stein, Hardenberg, Humboldt, Queen Louise and Scharnhorst is one of the great might-have-beens of history. Their work was great in its accomplishments

and great in its failures. Over it there shines a light unlike that which illumines any other pages of the history of Prussia. For once she was the hope of Germany and of a continental Europe dominated by the empire of Napoleon. That Prussia deserved well of Germany and of Europe when the hour of trial came was not due to the Hohenzollern then on the throne but to the group of non-Prussians who as young men had entered the service of Frederick the Great and his immediate successors. Upon that roll are the names of Scharnhorst and Hardenberg, the Hanoverians, Blücher and Queen Louise from Mecklenburg, Niebuhr the Dane, Gneisenau the Saxon, and greatest of all in fiery zeal, moral force and tried integrity, the Imperial Knight, Baron vom Stein.

It is one of the paradoxes of German history that the extremes of its particularism have nourished and defended the idea of national unity and empire. The valleys of the Rhine and of its tributaries and the Thuringian Forest are those parts of the old Germany which most distinctly represent the division of Germany territorially, and yet these are the regions where the name of Germany and the glories of the empire were most dearly cherished. No prince of these regions could aspire to make his "Germany" the leader of "the Germanies." The maintenance of some sort of a union was his best hope of preserving himself from the maw of some greater neighbor. Of all the elements in the old Germany which most distinctly represented its weakness and division, the Imperial Knights were the most striking exemplification, and yet their ranks had furnished nationalists from the age of Ulrich von Hutten to the days when Baron vom Stein entered the

service of the most aggressive of the German dynastic states.

Baron vom Stein, Heinrich Friedrich Karl vom und zum Stein, to give him his full name, was born in the ancestral home, a castle only by courtesy, in the little city of Nassau on the Lahn, October 26, 1757. He has left us a sketch of his life,[1] which industrious biographers have supplemented so that we have a fairly satisfactory picture of his youth and preparations for his life work.

His ancestors for centuries had been nobles in the ranks of the imperial knights and for many generations had lived in the Lahn valley, one of the most picturesque of the side valleys of the Rhine. Here they had been the retainers and staunch defenders of the counts of Nassau, from whom William of Orange was descended, and many of the name of Stein had done good work in the service of other states within and without Germany. The ruins of their old castle stand today on the jutting rock which gave them their family name, on the hill above the city of Nassau. The crest of the hill is crowned with the ruined castle of the counts of Nassau. Both families, Nassau and Stein, had joined their cause with that of Luther. Indeed, the surviving line of the Steins was founded by a member who broke his vows as a canon at Trier and married in the same year that Luther did.

The family possessions of the Steins at the close of the eighteenth century were scattered under the dominion of many overlords—Trier, Mainz, the Palatin-

[1] Pertz, "Das Leben des Freiherrn vom Stein," VI, Pt. 2. Beilagen, pp. 155-197. The most illuminating treatment is that in Max Lehmann, "Freiherr vom Stein," 3 vols., Leipzig, 1902-05. The abbreviated one-volume edition of Lehmann, published in 1920, compresses the material on Stein's early life.

ate and Hesse—in all about fifty small holdings and claims to rent and service on both banks of the Rhine, all of which taken together would not have given them much more than a fair sized estate. The house of Nassau, too, in some of its branches had gone forth to play a larger part in German and European politics. The old simple loyalty between the two houses had long disappeared. The relations between the two families had been embittered by frequent quarrels over rents and dues and all the subjects of dispute that made of the politically powerless imperial knights the unrelenting enemies of the immediate princes and the most loyal friends of the Emperor in Vienna, to whom alone their allegiance was due and from whom alone they might expect aid and protection. The fortunes of the Stein family had fallen and when Stein's father inherited the holdings he found the family finances in sad disorder, and many holdings in decay or heavily burdened with debt.

Stein's father was a sober upright man of sound qualities, neither great nor possessed with the idea that he was great. Forty years of his life he had passed at Mainz, and his later years in the Lahn valley show him only as a level-headed and trustworthy manager of his scattered holdings, given more to hunting and outdoor life than to books and accounts and longings for official honors. He is buried at Früchtin the same tomb with his great son, who wrote for him in filial appreciation the oft quoted epitaph:

"Sein Nein war Nein gewichtig;
Sein Ja war Ja vollmächtig;
Seines Ja war er gedächtig;
Sein Grund, sein Mund einträchtig,
Sein Wort, das war sein Siegel."

This country knight had married a widow, a former Fräulein Langwerth von Simmern, of excellent family, whose mental endowment and character help us better than do those of the father to understand the genius of her son, the Baron vom Stein. She was a woman of quick and lively temper, with the deep feeling which broke forth so often in the son. Her great common sense and breadth of interest, which knew no narrow pride of class or castle, are revealed in the letters she wrote her favorite son while he was in college. Her discernment of character is proved by her choice of him as the one of all her four surviving sons best qualified to be head of the family with the chief responsibility for maintaining its estates and perpetuating the family name. The son's devotion to her and his desire to do always that thing which should seem right in her eyes are simple and direct testimonials to her influence over him and of his recognition of the righteousness and disinterestedness of her opinion.

Baron Stein was the youngest but one in a large family. None of them was commonplace. The two oldest sons entered the ranks of the Teutonic Knights, for this medieval order survived until 1809 despite its expulsion from the scenes of its great achievements in the Baltic provinces of Prussia. The elder of these two became a Prussian official and the representative of Prussia at Mainz. His character is sufficiently indicated by the fact that he was not only the envoy but the close personal friend of the pleasure-loving and sensuous Frederick William II. The second son entered the service of Austria and distinguished himself in the wars against the Turks. Death by fever robbed him of the chance to immortalize the name of Stein in military annals. The third son was the black sheep of

the family, and after a varied career in the French service in Europe and America he deserted and came home sunken so low that he was induced to accept a pension and give up the family name. It was the irony of fate that though blind and broken by dissipation he outlived his brothers, dying in 1840.[2] The three sisters each had an individuality in character and person as noteworthy as their brothers. The eldest and most beautiful was admired by Goethe and beloved by Hardenberg, the Prussian statesman with whom her brother's name is most closely associated.[3] She married a Saxon nobleman who was later Saxon ambassador to Spain. The marriage was an unhappy one through no fault of the bride. The second sister married a Hanoverian nobleman who was later a member of the regency through which George III of England conducted the government of his German electorate. Marianne, the youngest sister, who most closely resembled her great brother, never married. She managed the household after the mother's death and later became the head of a religious establishment at Homburg. The relations between Stein and his sisters seem by the account of his friend Rehberg to have been almost ideal. Those with the two surviving brothers were not untroubled. In 1774 the mother brought it about that Karl, though the youngest of the sons, should be the conserver of the family name and estate. The elder

[2] He settled in Bremen but lost his small business during the French occupation. In 1814 he appealed to Stein for aid. Lehmann III, 367-368.

[3] The ambitious parents of Hardenberg, the mother in particular, had selected for him a wealthy and spoiled fifteen-year-old girl whose intrigues with the Prince of Wales, later George IV, drove her husband to resign from the English-Hanoverian service, from which he passed by way of Brunswick into the Prussian administration.

brother, though he acquiesced, never quite readjusted himself to the situation. As for the dissolute third brother it need only be added to what has already been said that Stein refused to recognize him on his return to Germany.

The first sixteen years of Stein's life were spent at Nassau. No more charming and peaceful environment could be desired than the valley of the Lahn from Nassau to its juncture with the Rhine just below Coblentz. The boy seems to have had his full share of outdoor life. The home life under such a mother as Frau vom Stein was sure to be of the purest and best. It was deeply religious without any trace of fanaticism. In such an atmosphere there was no place for the skepticism so prevalent in the eighteenth century, and one of the most distinct characteristics of Stein throughout his life was his profound and sane religiosity. I have said that the mother had no narrow class pride, but a feeling of what he owed to family and to his social class, and what men of his rank and opportunities owed to their fellow men, was of the very essence of Stein's youthful lessons from her. It was this just and nice balance, this intimate interrelation of the two elements in the very fiber of his being, that made Stein a power and won him the unwavering confidence of the great masses. He never forgot what he owed to himself and his class or on the other hand what he owed to his fellow men of all classes. He early learned that capacity for service was to be attained only in the way his mother indicated to him—through industry and effort.

Of the more intimate incidents of his youth we know little. We would gladly retain the story told by Pertz, on what authority I do not know, that when the family

of children once gave Shakespeare's Midsummer Night's Dream, young Karl would take no other part than that of the wall. Not even in play, where all childhood is anxious for the leading rôle, would he attempt to be other than he was—sturdy and staunch and direct of speech. He tells us that in his home studies in preparation for college and for a career as a lawyer who was to practice before the imperial courts at Weltzlar he had a strong liking for history, especially for the history of England—a preference which seems altogether natural and fitting in one whose career so often recalls the best traditions of the English landed gentry. A boyhood spent in what Stein calls isolation had disadvantages which he recognized later in life—"a somewhat narrow and unpractical view resulting in a certain lack of moderation (*Unbilligkeit*) in the judgment of everyday realities." It had advantages which he also recognizes in that it taught him the value of concentration and gave him freedom from distraction, and made him realize the value of limiting his friendships to those who had something worth while to give him. At the age of sixteen he was sent to Göttingen in the company of a private tutor.

The founding of the University of Göttingen in 1737 by the English king, George II, as Elector of Hanover, had almost as great an intellectual and educational significance in the eighteenth century as the founding of the University of Berlin at the beginning of the nineteenth. It was intended by the king's chief adviser, Baron Münchhausen, to be a university which should make knowledge a force in national life. Under wise management and touched by English liberal and practical ideas it had become distinctly that university in Germany which best fitted its students for public ser-

vice. In the latter half of the eighteenth century its faculty was strong in what are now called the social sciences—law, history, politics, economics and the beginnings of statistics and something that might be called sociology. The names of Häberlin, Achenwall, Pütter, Gatterer, Schlözer, Michaelis, Heyne, Martens, Lichtenberg drew the best youth of all Germany to the university whose life and vigor and liberal atmosphere made it an educational oasis in the Germany of the last half of the eighteenth century. That the university was a real power then may be seen by the reluctance of certain narrow absolutistic princes to permit their young subjects to go there, and by the frequency with which we find that the men of influence in public life and academic positions in the last quarter of the eighteenth century and the first of the nineteenth had been students at Göttingen.

Stein stayed at Göttingen as a student for three and a half years. The visitor to the university town is shown, among the many tablets that mark the former residence of distinguished professors and students, two which indicate where Stein lived—one in the heart of the town on *Weenderstrasse,* and the other behind the present library. There is now no means of knowing under what men he studied. His autobiography mentions especially among his limited circle of student friends Rehberg, later one of the most enlightened public men in the Hanover of the old regime, and Brandes, whose keen insight into the tendencies of his time makes his monographs one of the most interesting sources for the public opinion of North Germany in the early years of the French Revolution.[4] Stein studied law as his parents wished—Pütter at Göttingen

[4] Gooch, "Germany and the French Revolution," Chapter III.

was then the great authority on imperial institutions—and continued and developed his interest in English history and made himself familiar with "English statistical, economic and political works," which he discussed with his fellow students in their walks on the wall about Göttingen.[5] The library at Göttingen, due to the connection between Hanover and England, was undoubtedly then, as it is now, an excellent place for feeding such interests. Professor Schlözer by his stimulating and unconventional courses in history and geography, and by his recently founded periodical on contemporary history and politics, had created an atmosphere in which young men of Stein's type would have their outlook broadened and their interest in affairs strengthened and deepened.[6] But of all this Stein says nothing in his autobiography or in his letters, except the reference to his study of law and English history. In his case, as in that of Bismarck at the same university a half century later, the biographer has no evidence on which to base any genesis of opinions as a result of this or that professor's teachings. "Some of the faculty are ridiculous," he wrote his mother, "while others have solid qualities and are excellent fellows." Of one thing we are definitely assured by his own words as well as by every act of his later life, that he had no interest in metaphysics and philosophical systems. Rousseau and his ideas were ever anathema to him, and even in his later life Kant and

[5] Adam Smith's "Wealth of Nations" appeared in 1776. There was a German translation of Volume I in the same year. The *Göttinger Gelehrte Anzeiger* reviewed Smith in 1777, and a course of lectures on him was announced at Göttingen in the winter semester of 1777-78. *Cf.* Rae, "Adam Smith," p. 360.

[6] See article by G. S. Ford in the *Journal of English and Germanic Philology*, VIII, 145-176.

Fichte and the men who made the classical age of German literature were far from the world of realities in which he lived. Despite all his protestations, however, he was like them a man of ideas and ideals. To him the controlling thing was character, moral fiber alone made a man's acts and ideas worth while. Nor is there anywhere in his youthful interests or aptitudes any indication of interest in literature as such.

His correspondence with his mother and the letters of his tutor show a young man of early maturity somewhat opinionated in the way that young men prepared in isolation are apt to be opinionated. He did not like his tutor, and his mother's letters were needed to keep him in subordination. He went his own way, applying himself with industry to his tasks but unawed by professors. He takes occasion in his letters to comment on the character of his brothers with a freedom and objectivity that reminds one of Napoleon's youthful estimate of his brother Joseph, only in the case of Stein there had been no paternal visit from which to derive his astonishingly mature opinions. Chance acquaintances fell under the same merciless analysis, a mercilessness in the judgment of character which is clearly as characteristic of the boy as it was of the man. Stein had in him no elements of the courtier and was rather given by nature to extreme statements, partly as a result of his early training in an isolation in which he had had only his own views to consider. His tutor, though troubled by Stein's youthful egotism and willfulness and by his blunt and paradoxical utterances, acknowledges in his letters to the mother the developing genius in his young charge. "He will certainly be a great man," but "I am still doubtful about his kindheartedness." Years later his fellow

student, Rehberg, in his sympathies nearer to Stein than any prying tutor, wrote a sketch of him as he remembered him then. "There was in all his feelings something intense. But what an intensity! Ambition in him was most naturally subordinated to his lively and unyielding feeling for all that was great, noble, and beautiful. He was bound to the few to whom he gave himself through their sharing in his sentiments, and anyone thus chosen could not help but love him deeply in return. Thus I spent a year and a half with him at the University and formed a connection that was to last a lifetime."

Stein left the University at Easter 1773, without taking a degree. He had put in his last semester at Göttingen in direct preparation for an understanding of the complicated legal system with which he must be familiar. His first step was three months spent at Wetzlar, the prosy little town in the Lahn valley now best remembered because of its connection with the scene of Goethe's early life and immortalized in the "Sorrows of Werther." It was then a free imperial city and the seat of the Imperial Supreme Court, the *Reichskammergericht.* Here he put himself under the tutelage of a capable *Assessor,* a sort of assistant judge. Despite this favorable circumstance he found the red tape and formalism of a court which was decades behind in the making of decisions which when made seemed to decide nothing, exceedingly boresome and the life in town despite some pretty girls was deadly dull. The net result on a temperament so impatient and direct as young Stein's was a repugnance to the whole complicated procedure of imperial courts and laws. He was now ready for the next step in his preparation for a legal career—a visit to the principali-

ties of the Germany of that day and to the three centers through which sluggishly pulsed the judicial, administrative, and legislative life of the moribund "Holy Roman Empire of the German People."

From Wetzlar he went up the Rhine valley, visiting during the winter of 1777-78 at Mainz, the capital of the great archbishopric whose ecclesiastical prince, the Chancellor of the Empire, was the chief official under the Emperor. From Mainz he visited, in company with young von Reden, a Hanoverian later prominent in the diplomatic service of his native state, the cities of Mannheim, Darmstadt, Stuttgart, Munich, and parts of France. Lehmann, in his great biography of Stein, reproduces in part a letter from a family friend to the mother which is a testimonial to the favorable impression created by the young nobleman, already striking in appearance, ready and full certain in his judgments, and displaying a remarkable breadth of knowledge. The flattering tribute of this friend is concluded by a wise sentence: "Inactivity may ruin him, but a life of activity may make a great man of him."

Two months were then passed at Regensburg on the Danube, the seat of the Imperial Diet, whose legislative inaction did not impress Stein any more favorably than had the lumbering methods of the law courts at Wetzlar. By the winter of 1779 he had found his way to the third center of imperial administrative inaction, Vienna, the imperial residence and the seat of the Imperial Council. Here he passed nine months enjoying, as he tells us, rather the social side of life in Vienna than giving himself to serious study. Nevertheless a stay in the Austrian capital at just this time could not have been without effect. At this time the Prussian army under Frederick the Great was facing

an Austrian army in the field, the subject of contention being Frederick's determination to defend the Empire against the wide reaching schemes of Joseph II for the annexation of large parts of Bavaria to the Austrian dominions. Stein's itinerary had taken him to just those centers, Munich, Mainz, Regensburg and Vienna, where the discussion of Joseph's policy must have been a most burning question and the policy itself a source of real apprehension.

The years of travel had ripened Stein, not for the career of a judge who might, like his soldier brother, enter the Austrian administrative or diplomatic service, but to a decision to put his talents at the service of Austria's great rival, the northern kingdom of Prussia. It was a momentous decision and the reasons for it lie in the effect on Stein's active and energetic mind of the sight he had had at Wetzlar, Regensburg, and Vienna of the inefficiency and cramping limitations of any career which had to do with the old Empire. It would be a strong and daring swimmer who could plunge into such stagnant waters and keep himself free from being enmeshed and drawn under forever by the rank growth of petty officialism, grasping political interests and clogging formalism. Stein turned his back on all these and in the winter of 1780 he made his way to Berlin. Here was life and purpose—a state that had made all the recent history in Germany worth making. At the head of it was the greatest statesman and general the Hohenzollern dynasty had yet produced, Frederick II. For forty years his genius had dominated the Germany of the eighteenth century and drawn the admiration and excited the pride even of that part of Germany which opposed him. At this very time, when he had success-

fully balked the plans of Joseph II of Austria for Bavaria, Frederick enjoyed as never before the homage of all the German states, which saw in him, as did Stein, who had admired him from early college days, the real defender of the Empire. Since 1774 Stein was the destined head of his house and the inheritor of its scattered estates. Could he find any better protection for his interests or any more attractive career than the service of the greatest of German princes? It was into Prussian service that his elder brother had entered a year before. Stein's decision was for a career in Prussia.

The decision was his own, as he assures us, and one to which he brought over his family, who inclined to the Austrian service. He must have had the matter in his mind before he went to Vienna, for his mother, early in January, 1779, had written directly to Frederick on behalf of her favorite son asking that a place be given him in the Prussian diplomatic service. Frederick replied that he could not give a position to a young man whom he had not seen. But Stein did not present himself until after he had fully matured his decision—after he had seen all he cared to of Regensburg and Vienna. He was then appointed without the usual state examinations, not to the diplomatic career his mother had requested but to a position as chamberlain. He attended, as a result of special arrangements in his favor, the sessions of the government commission in charge of mines and mining and acted as a sort of corresponding secretary. The advantage of his new position was that it brought him directly under the eye of Heinitz, the minister in charge of this department.

Stein never ceased to be grateful to Heinitz, who as

a friend of the family had made this favorable opportunity for the young man. It gave him, as Heinitz intended it should, the special training of the minister himself and saved Stein, as he came to realize thoroughly, from becoming too involved in just that kind of petty official detail which he had felt overburdened the memory, crushed the spirit and stifled the creative power of the lawyers whom he had seen at Wetzlar.

CHAPTER II

First Years in Prussian Service

With some men the biographer finds his task in the nice distinction of the crises which show the development of his character. Not so with Stein. What he is as a boy, he is as a man—proud, aggressive, quick in judgment, and tirelessly energetic in execution, self-contained and self-dependent, profoundly moral in life and in his attitude toward all questions. But the Stein, the man, is effaced by Stein, the public servant. The periods in Stein's life around which the account of his career may be grouped chapter by chapter are begun and ended by some change in his official status or some wider opportunity of public service. These are almost the sole indications of transition or evolution. His work is himself, and his personal utterances relate to what he is doing and not to what he is thinking of himself as the doer of public tasks.

The first period in the career of Stein is from his entry into the Prussian service in 1780 to his recall to Berlin as minister of finance in 1804. These years span a quarter of a century, from his twenty-third to his forty-eighth year. It is twenty-five years of preparation for work to come, and twenty-five years of work which, if it had never been crowned by his activity in the work of national regeneration, would have given him a name as one of the most distinguished provincial officials the Prussian service had known since its organization. He would have lived in Prussian history and especially in the history of its Westphalian prov-

inces as Hoym lives in the history of Silesia or Ludwig Mencken[1] and Heinitz in the history of central bureaucracy at Berlin.

His appointment as chamberlain under Frederick the Great meant nothing, for the old king had no use for such court officials, but he was at liberty to assign them to such service as he chose. It was Stein's good fortune to be placed in the department of mines and mining, which in its combination of practical and scientific work was eminently suited to a temperament which would have fretted itself into uselessness or revolt if confined to court life or the official green table. His good fortune was more than doubled by the fact that his chief was Heinitz, one of the best minds, strongest characters and most efficient administrators in the Prussia of the last quarter of the eighteenth century. Heinitz, like Stein, was not a Prussian. He had been drawn into the Prussian service by its greater opportunities, after having served in an administrative capacity in Brunswick and Saxony. In the latter kingdom he had risen high in his special department, that of mines and mining, and had made himself a place in the scientific development of these industries by founding the first great school for mining engineers at Freiberg, near Dresden. He was himself a close student of those sciences upon which his department depended, and well informed in the subjects of economics, statistics, and administration. Endowed with the instincts of the scholar and teacher, he was a man of the first rank as an administrator, and with it all, a man of charming and attractive personality, deeply religious, with a quick insight into the possibilities of the young men whom he gathered around him. When an

[1] The maternal grandfather of Bismarck.

assistant was wanted to help him reorganize a department or put a state enterprise on a paying basis, Heinitz knew the man he wanted. It is enough here to point out that the Prussian state owed to him as much as to anyone the services of Hardenberg and Stein. Among the ministers of Frederick the Great, who were chiefly recorders of the sovereign's will, Heinitz stands out as a minister with independent ideas and a program, which he steadily defended even though it cost him office and favor; for Frederick, with his eyes upon the development of the power of Prussia as a military state, was averse to the economic program of Heinitz, who sought the justification of his measures in their effectiveness in awakening the deeper feelings of the nation's moral life. The king's political economy was chiefly mercantilistic and military.

Thus it was that the independent young imperial knight, who had been drawn into Prussian service by reason of his belief that her ruler of that time was best representing real German interests, spent the first twenty years of his official life and shaped his administrative ideals under the influence of the least Prussian, the least Frederickian, of Frederick the Great's ministers. The influence of Henitz on Stein can hardly be exaggerated, or perhaps it would be better to say that Henitz saw in the young man so clearly the possibility of a statesman with his own ideals, that it is all too easy to call influence that which was in reality the result of certain similarities between the two men.

Stein's novitiate in the mining department, from 1780 to 1784, were years of study, observation, travel and minor clerical duties. Long before the University of Berlin was founded, in 1810, it was possible to pur-

sue advanced work in the capital under the guidance of excellent teachers supported by the state. Thus Stein was able to acquire the needed scientific information by attending lectures on mineralogy, chemistry and physics. Through the wisdom and liberality of the minister and sovereign he accompanied the former on his tours of inspection, or was given leave of absence to travel in company with some other young official through the provinces of Prussia and into the mining and industrial regions of other states of north Germany. In Poland, Silesia, Thuringia, Mansfield, West Friesland, Westphalia and Erz, and in the Harz mountains, he saw with his own eyes the methods and conditions in the coal, iron, copper, amber and peat industries of Frederick's domains. One characteristic condition only did the old king make in granting Stein these absences from Berlin, that was that he should report every month the results of his observation and study. These reports, still carefully preserved in the Prussian archives, are interesting proofs of Stein's powers of observation.[2]

The young official's progress in the knowledge of his department was fully rewarded by the promptness with which Heinitz secured his advancement. In a year he had been given a seat and vote in the commission to which he was attached. A year later, March 1782, Heinitz had persuaded the reluctant Frederick that Stein had been so well prepared by his previous study and observation on his Austrian visit that he was far in advance of what his service in Prussia justified and should be made a superior chancellor for mines with the duty of supervising mines and mining in Thale

[2] Lehmann, his latest biographer, has examined them carefully for traces of self-revelation and political opinion, but the results are meager.

and Gettow in the Harz. In the same year Stein obtained leave of absence for travel and study, and the years 1782 to 1784 were spent in the Erz mountains, Thuringia and the Harz, with one year in the school of mines in Freiberg. These three years of study and travel wisely granted by the king and minister were well applied. His letters testify to the wide range of his interests in every phase of the economic life of all the areas he saw or about which he could learn by reading or conversation. Heinitz' troubles with the king and bureaucracy and the advance in his own special field in other countries led Stein to meditate leaving the Prussian service. But he put these thoughts aside. When he returned he was fully qualified technically for all further advancement that came to him in the department of mines. Indeed, Stein may be cited as one of the early examples of the scientifically trained official class, which in the nineteenth century helped Prussia and Germany to take a commanding place in the world's material and commercial development.

In May, 1784, he took up his residence at Wetter in the county of Mark as head of the department of mines and mining in Westphalia and director of manufactures in Mark. Whether or not his proud spirit revolted in tears when he first received money as salary, may safely be left undecided, but certain it is that he might well have rejoiced at such an opportunity to show his ability.[3] It was a happy conjunction of circumstances that put a young man of such independence and energy under such a minister as Heinitz and gave him such a field to work in as the detached almost foreign Westphalian provinces of Brandenburg-Prus-

[3] His salary was 1969 thalers with house rent and certain perquisites in fees.

sia. In his twenty years of service here, Stein developed the ideas and efficiency and revealed the character which made him the one man to whom all classes turned as the savior of the state in the crisis after 1806.

This first appointment put him in direct supervision of the mines and manufactures in Mark, Lingen and Ravensberg. As he rose in rank and his functions were extended he became the responsible representative of the central government, of which he was still a member, over an area of about 4000 English square miles. It was, however, made up of the scattered land masses of which the county of Mark was the largest; then in order of size came Cleves, Minden, Ravensberg, Gelders, Lingen, Mora and Tecklenburg, with a total population of over half a million—about one-tenth of the inhabitants of the Brandenburg-Prussia of that day.

The region to which Stein was now transferred was the least Prussian, the least Frederickian, of any of the provinces ruled over by Frederick the Great. Racially the inhabitants of the Westphalian provinces were more distinctly and thoroughly German than the Brandenburgers or the people of the distant duchy of Prussia. Slow-going, substantial, independent in thought and action, they were more like the Germans of Hanover or of "the Empire," as the smaller Rhine and Thuringian states were frequently called, than like the Markers or Prussians. Their economic life and political organization were even more distinctly different from that of the other parts of Brandenburg-Prussia. Situated in a region rich in coal and iron deposits, they were largely employed in the development of mining and manufacture and interested in the construction

of the roads and waterways leading westward toward the Rhine and the markets of that region and of Holland. Those areas not interested in ore production and its manufactured products were prosperous in their agriculture, for the richer soil yielded a greater return than the sterile soil of the Mark, Pomerania or the Prussias. This prosperity was generally diffused, for here feudalism was known only in a modified form. There were few great noble estates, and the rule was the small holding and the independent cultivator who tilled his land and conducted domestic industries, to the scandal of the Prussian bureaucrats from Berlin accustomed as they were to rigidly insisting on the separation of city and country and the preservation to the former of all forms of industry. Serfdom had practically disappeared and the nobles' privileges were limited and loosely held. The noble of the west had not joined hands with the monarchy as did the Marker, to preserve and extend his class privileges and make of his kind a Brahminlike caste. The general condition as it was when Stein left in 1804 is described by an inspector in the following terms: "Proximity, similar commercial interests and even a likeness of language to the rich provinces of Holland, the Lowlands, and the Rhine have drawn the inhabitants nearer to these foreign lands than is the case in other provinces; their personal freedom, the older culture of these regions and the opportunity to obtain a good return for their raw and manufactured products have raised up an exceptional national industry among them, and this has given the common man a greater degree of culture and prosperity."[4] And this prosperity and culture they owed to their favorable situation and to their own

[4] Lehmann, "Stein," I, 90, footnote 4.

efforts, for Frederick and his predecessors had done little for them. The boasted *landesväterliche* good will of the Hohenzollerns stopped at the Weser. For the inhabitants in the provinces beyond they had neither subventions nor friendly interest. Frederick the Great had said of the people of Cleves, "They are the subjects from whom one may expect the least advantage."[5]

It was the task of Heinitz and Stein to work an entire change in this attitude and the consequences that flowed from it. Loyally and successfully these two administrators strove to develop and to make it an integral part of the monarchy.[6]

One other feature of the Westphalian provinces, their preservation and practice of a considerable degree of self-government, is of prime importance to the biographers of Stein. The outlines of the development of the power of the Hohenzollern dynasty are so clear, the points to be emphasized are so evident, that

[5] *Ibid.*, I, 94.

[6] The connection of this area with the House of Hohenzollern dated from the seventeenth century and had only been acknowledged after long and troubled negotiations with a rival dynasty and bitter struggles with local estates. Separated from all direct connection with the central land masses by the intervening possessions of the Elector of Hesse, the Duchy of Brunswick, and other small independent states, they had always been treated by Frederick as territory whose military defense had never been in any sense a part of the strategy of his wars. Indeed, Frederick's administration in the matter of the army and taxes had been so distinctly concentrated upon the development and defense of the central and eastern provinces that the Westphalian area had, from the Berlin standpoint, somewhat the character of foreign territory. It was Henitz who ruled here, with Stein working at first under him, and then as his successor. Hintze in *Hist. Zeit.*, 1905, 418ff. Lehmann, I, 87ff. Wm. Stolze gives some account of Stein, with less emphasis on this differentiation of the Westphalian area, in his essay on "Zwei preussische Oberpräsidenten in Rheinland-Westphalen im 18. Jahrhundert," in "Studien und Versuche—Max Lenz gewidmet," Berlin, 1910, pp. 207-263.

writers who consider its history are likely to emphasize so strongly the centralizing and autocratic power of the sovereign in an ideally organized military bureaucratic state, that it takes a complete readjustment of preconceived ideas to bring the reader to an idea of the working state which, with all its centralization, was still very decentralized and, with all its bureaucracy and administrative machinery operated from Berlin, still preserved in nooks and crannies some elements of self-government. True the old provincial estates in Cleves-Mark had had their claws drawn by the Great Elector, but they still existed and it was still necessary to give them consideration in order to rule in peace and comfort.

The essential political difference between the inhabitants of the western provinces and the older possessions of the Hohenzollerns was the fact that in the Westphalian provinces all were immediate citizens of the state. The feudal anomaly so prevalent in the central and eastern provinces, by which the state recognized the power of the nobles over the serfs and peasants and of the gilds over the citizens in the cities, had never existed here, and the attempt to introduce it had failed utterly. Elsewhere the peasant, free or serf, was for most purposes the direct subject of the feudal lord, not of the king. To all intents, except that of filling the ranks of the army and collecting certain taxes, the state ended with the feudal lord or the gild organization. It was the lord who exercised judicial and police power over the peasant and to whom the peasant took the oath of allegiance. In the west, with few exceptions and those of recent introduction, the old German liberties were preserved. Here peasant and lord and burgher were alike citizens of the state and subjects of the king.

The conclusion must not be drawn that all were represented alike in the provincial estates of the various districts, for the diminutive Mors, with its 125 English square miles, and East Frisia were the only provinces where the peasants had representatives. In the others, and particularly in the joint estates of Cleves-Mark, the cities and nobles alone were represented and the latter in such numbers that they were in control at the yearly sessions and dominated the commission which sat in the interims. "What gives these Estates a position in the history of Prussia is the fact that they had maintained through the age of absolute monarchy the three fundamental rights of periodical meetings, the right to approve taxes, and to coöperate in legislative matters."[7] These had been guaranteed to them by the Great Elector in 1661 and religiously guarded by them against the autocracy of his successors. Besides the provincial estates there were regular meetings of the landholders (*Geerbten*) in each community including the peasantry, who regulated their own affairs and chose their own officials. The process of government here was in most things a matter of conference between the representatives of the central administration, the Chamber of War and Domain, and the representatives of the provincial or local government.[8] The whole subject of taxation was considered annually in the provincial estates and readjustments as to amounts made between various communities and then in the local assemblies between the various units composing them. The discussions were real and took account of the disasters by fire, flood, or failure of crops which might

[7] Lehmann, "Stein" I, 98. On the decline in the attendance of the nobles and other details of local government, *cf. ibid.* I, pp. 103-105.

[8] Pertz, I, 26.

make it necessary to shift the amount paid in a community in the previous year to the tax apportionment of the more fortunate parishes.

As one of the representatives of the central government at Berlin, it was Stein's duty to attend these annual meetings and confer at first with the local governments, and then as his powers were increased with the larger provincial representative bodies. This experience gave him, as no other assignment could have done, an intimate acquaintance with the possibilities for self-government in a people who owed their allegiance to one of the most absolute of European monarchies.[9]

Though he fretted and chafed under the delays in which it involved a man so decisive and impetuous as he was, it strengthened him in the principles already well developed as a member and descendant of members of the imperial knights, who considered their own affairs in their own diets. It served to confirm the eighteenth century philosophic views with which he was familiar and to give him an exemplification of German institutions not unlike those he so much admired in the history of England. By every instinct of birth and training, by official association with such an independent non-Prussian chief as Heinitz, and by two decades of service in the least Prussian of the Hohenzollern possessions, Stein was fitted to direct the fortunes of his adopted land from the standpoint not of her history and social traditions, but rather from the standpoint of Germany and humanity.

Baron Stein's successful career in the Westphalian provinces is indicated, in part, by the official promo-

[9] Lehmann, I, 251-252.

tions which came to him.[10] In the last six years he was practically the Prussian governor over the area defined above with the exception of East Frisia, which was allowed to maintain its separate government. In all, the territory under Stein after 1796 was about four-fifths that of the state of Connecticut.

Stein's activity during this period was conditioned by three circumstances each of which set him problems. They were the character of the provinces and their industries, the financial and taxation plans and necessities of the central administration, and the French Revolution.

As a good administrator scientifically trained for just the problems this region offered, Stein's attention was much directed to the proper methods of mining and manufacturing with a view to increasing the products, conserving the natural resources, and securing better access to the markets by improving the roads and canals. In these matters the county of Mark, with its coal and ore beds, was throughout his activity in Westphalia his chief interest. These mines were of extreme importance to the Prussian kings,[11]

[10] At the end of October, 1786, he was made superior privy councillor for mines, a year later he was second director of war and domain for Cleves-Mark, and in July, 1788, he was made first director, with general supervision over mines, manufactures, salt production, and the construction of roads and waterways. In 1793 he was made president of the Chambers of War and Domain for Cleves-Mark, with the duty of attending, as the royal representative, the sessions of their combined provincial estates. His residence was changed from Wetter to Hamm, and then to Cleves, and his salary was almost triple that first given him. In June, 1796, on the recommendation of Heinitz, he was made superior president of all the Westphalian Chambers of War and Domain with the specific duty of visiting all the provinces a stated number of times each year. His residence was fixed at Minden, where he remained until other duties called him away in 1802.

[11] Ever since the Golden Bull of Charles IV in 1356, and probably

though not to be compared with what they are today, for a glance at an historical map will show how much smaller the county of Mark was than the whole valley of the Ruhr in which are located the great deposits of coal and iron. The full value of these mines was just becoming evident during the very years when Stein was a provincial director, and the machinery was being invented, chiefly in England, which was to make possible a more facile extraction and utilization of the products of the mines.

Stein found the whole mining and manufacturing situation in a very unsatisfactory condition. The mines were private enterprises and the operators selfishly and ignorantly exploited them without regard to the regalian interests of the state or the conservation of the resources by proper methods. Wage and labor conditions were determined by the self-interest of the proprietor or mine foreman. All this seemed shocking to one familiar with the advanced and successful practice and better conditions in the mines of Saxony and Brunswick. Stein at once recommended that the government inspectors, who were paid by the contributions of the individuals or corporations owning the mines, and had been treated by them as dependents, be ele-

before, the regalian rights of the electors in certain mineral products had prevailed against those of the Emperor, and mining law in Germany had developed in a direction quite different from that it has taken in America. The discovery of certain ores did not accrue to the benefit of the discoverer or to the owner of the land, but to the state, or to the prince, who might conduct the mines as state enterprises or let the privilege of mining as a concession, or allow them to be worked by private persons who paid the prince a fixed percent of the gross or net product as the case might be. This control over mines, salt included, was a very considerable source of income to the prince, and one in which he was fortunate if he had trained officials who guarded his interests from the exploiting tendencies of the concessionaires.

vated in authority and chosen for their character, so that the mine owners would trust them, submit their books and accounts to their inspection and follow their regulations as to methods, materials, and wage conditions. Everywhere he points to the better methods in neighboring lands as an example for Prussian mine operators and government mine inspectors to follow. Everywhere he shows the scientifically trained mind in the service of a great industry. And there shines through it all the Stein who put greater responsibility on men in the firm belief that they would rise to the occasion if given freedom in the exercise of their functions. Wherever he could he cut down official report making and red tape, and brought the "feather official," as the bureaucrats were called, into a working relation with the "leather official," the actual operator of industries. Although he worked with and depended on subordinates, he was constantly on inspection tours, seeing things with his own eyes and shaping his measures in the presence of actual conditions.

Heinitz gave his favorite subordinate a free hand and firm support. Stein set to work, but it took all his energy and insistence to control the corporations and to get a firm grip on the miners' labor unions, which in Mark were at first strongly opposed to his regulations concerning wages. The former were gradually brought, not without a threat of forfeiting their mines, to see that their real interests were also the real interests of the state as Stein and his commissioners saw them. The miners were brought under discipline, for they did not care to migrate, though it was no great distance to the borders of Berg or Brunswick, and leave a state which granted them exemption from military service and opportunities for supplementing the mine

wages by labor in the factories or on the farm. On Stein's recommendation the laborers were conceded more self-government in the election of their officers and all difficulties were amicably settled. The results justified the measures Stein took, for the coal output increased from 1,707,461 bushels in 1785 to 2,351,491 in 1798, a little over one half of the latter amount being exported. The number of coal miners rose from 1200 (*ca.*) in 1784 to 2085 in 1798.[12] The total number of mines was apparently about 70.

In the matter of manufactures the Prussia of Frederick the Great did not assume anything like the control it exercised over the mines. There were state commissioners with what seem like extensive powers to anyone used to a system of unlimiated private industry. These powers were chiefly advisory with the possibility always present that a police regulation from Berlin might be used to make their advice effective. These commissioners of manufactures, whose powers were increased at Stein's suggestion, worked under the Chamber of Domain. Their duties were to inspect factories monthly, suggest better methods, arbitrate differences between operators, attend the operators' conferences where prices were fixed, encourage new factories (a bounty was given for each new trip-hammer), encourage the immigration of skilled laborers, and do all they could to train up native artisans. To make themselves effective, they must be active, well informed, and free from selfish interest in any particular factory. Stein's energy and example, for he was made one of their number, and Heinitz's ready adoption of his suggestions and keenness in selecting the right men to work with him, wholly rehabilitated.

[12] Lehmann, I, 63, footnote.

this system of factory inspection, which had fallen into disrepute among the local *entrepreneurs*. Later Stein's functions were increased by the duty of seeing that the forests, upon which the furnaces had to depend in part for their fuel, were not recklessly exploited.

Vexatious survivals of medievalism in the form of internal tolls and tariffs collected by private persons and corporations were swept away in the county of Mark in 1796. All duties of this kind were henceforth collected at the borders in the form of a moderate protective tariff. The state supplanted these privileged tax collectors in the care of roads and canals. Stein pushed without cessation the work of bettering the Ruhr as a waterway and the construction of good roads out of its narrow valleys, for upon the excellence of these communications depended the facility of his districts in the importing of raw materials and the exporting of manufactured products. With characteristic thoroughness he visited southern France to inspect canals there in order that the project he had in charge might be done in the best manner. In his autobiography he cites with pride the waterways he improved and the roads he built—twenty German miles of the latter in the county of Mark within four years. "All labor," he adds with justifiable satisfaction, "was paid and no *corvée* dues used." He might have added that the continuance of the work in this way was made possible at times by the advances he made out of his own private fortune. As one passes in review the labors of this provincial administrator there involuntarily arises the thought of Turgot and of his labors as an intendant in Limousin and his later career when called from the provinces to Versailles to attempt in a crisis the reform of the French state under a weak, ill-

informed, and badly advised king. One sees in Stein's career in Westphalia and in his later work as minister of Frederick William III enough to justify the epithet frequently applied to him of "the Prussian Turgot."

All the manifold duties enumerated above were a splendid training for Stein as an administrator, and seem, when one tries to think of an American federal official successfully performing them in such a district as the valley of the Schuylkill, more than enough to fill one man's days with toil and trouble. But continental Europe and especially the territories of the Hohenzollerns had been trained to a more tractable attitude toward government inspection and control than English speaking lands. Stein's tasks were difficult by reason of the inefficient subordinates he had to use and the confusion and lawlessness before Heinitz and Stein took control, but they were not impossible. They were a necessary part of the policy of Frederick the Great's successors. Frederick William II (1786-97), and then Frederick William III, were definitely interested in the work of their minister and his subordinates in these hitherto neglected provinces. This partially explains why Stein was called on by the central government to assimilate more closely the military and financial methods of his provinces to those of the rest of the kingdom.

It will be recalled by those familiar with the reign of Frederick William I (1713-40) that this great administrator, in his desire to fill the ranks of his precious army, had fallen (1733) upon a device called the "canton system" by which the kingdom was divided into districts or cantons and to each canton was assigned a regiment whose ranks were to be filled by conscripts

from the prescribed area, *i.e.*, 6000 "hearths" for a regiment of infantry and 1800 for a regiment of cavalry. As there were large groups, trades and professional classes exempted from the rule of universal military service, it was still necessary for Frederick William and Frederick the Great to use foreign mercenaries to a very considerable extent. From the operation of the canton system the Westphalian provinces had been exempted. The large mining and manufacturing interests in some, the general lack of connection of all with the central government, the difficulty of enforcing the system in small scattered areas where the peasants could slip over the border into neighboring states offering them similar employment and like exemptions, and the distrust of the Westphalians felt by the great Hohenzollern kings of the eighteenth century, may partially explain this anomaly in a state where the chief industry was war. Frederick William II, than whom no king could be busier inaugurating reforms and more indifferent to their ultimate execution, suddenly decreed in 1789 that military service should be enforced in his Westphalian provinces with the exception of East Frisia. Upon Stein, who was at this time first director of the Chambers of War and Domain in Cleves and Mark, fell the disagreeable task of introducing the new measures. It proved to be a work of mediation and compromise, for the local estates and the mass of the people were vigorous in their opposition to the new arrangement. Stein's own attitude toward militarism at this time more nearly approximated that of the people he governed than that of those for whom he governed. The confidence of the people of Mark and Cleves in him and the cogency of his arguments in their behalf to the central government, arguments which

represented the disastrous effect on industry of taking the best artisans for life service or even twenty years with the king's colors, ultimately brought about concessions from both the Estates and the king in which the Estates clearly seem to have won the better part. As a substitute for the previous indemnity paid the government for local exemption from conscription, the Estates were to enlist by volunteering a fixed number of recruits for only fifteen years' service with the colors. The recruiting was to be in charge of the Estates and no one should be forced to serve. The number agreed upon was, for example, 150 for Cleves, and they could pay seventy-five thalers for each missing recruit. Similar compromises worked out by Stein were gradually adopted by the central government with the other objecting provinces, and it was left for the events of the next twenty-five years to teach Stein and the Westphalians that the safety of Prussian national life after 1789 rested upon universal military service.

The subject of taxation, the best way to get the most out of a country not naturally wealthy, has always been a question of great importance to the Hohenzollerns, second only to the subject on which they spent most of their income, the army. The decline of the old feudal sources and especially the insufficiency of the income from the domain lands had led them in the seventeenth century to concentrate their attention on the cities and the country districts as two units which ought, each in its own way, to contribute to the support of the state. For each they devised a special tax. For the cities there was a consumption tax collected generally at the city gates on food products brought in to the citizens, while the country districts paid a land tax or *Contribution*. Exemptions in favor of the

nobility were made in both taxes. The development of the taxes had carried with it special governmental efforts to draw a sharp line between the city and the country and to compel all citizens following any handwork or doing any trading or manufacturing to move into the cities. This system with all its petty regulations and infinite inconveniences had been thoroughly developed in the central provinces, and had become almost a fetish with the officials trained there for governmental service. The Westphalian provinces, where many peasant farmers and miners found it practicable to carry on domestic industries under their own roof in times of slack employment, had never experienced the system in its entirety, although the government officials at Berlin still clung to the idea that it must some day be applied in this region. Frederick the Great after various maneuvers had finally contented himself with a protective tariff and a fixed payment from the provinces raised by their own modified form of the taxes. His successor was anxious to see reforms in this as in army matters.

Heinitz, whose physiocratic theories had long been at war with the mercantilism and absurdities of the Frederickian financial system, put Stein at the head of a commission to investigate and report on such changes in taxation as seemed best for his provinces. On this commission, and at various other times until his transfer to larger duties, Stein was an effective force in securing needed modification. Many times his efforts in favor of more enlightened economic regulations and freer trade were laid aside by the slothful cabinet advisers, or pigeon-holed and not answered for a year or two and then nothing would be done. But the vigorous support of Heinitz and the good sense of

Frederick William II, when matters were brought directly before him, enabled Stein to win both the central government and local interests over to one innovation which the king approved in 1791. It was, in brief, the substitution of the payment of a fixed sum by both cities and country districts in place of the annoying excise which had hitherto served to divide the two and had so burdened commercial intercourse between them that the country districts had preferred to buy in adjacent provinces and smuggle their purchases over the border. The excise tax was not wholly abolished, but it was limited to a few definite main articles of consumption, as grain, meat, liquors and firewood, and its collection simplified. Both city and country were allowed to make up deficiencies in their budget by assessing certain direct taxes, such as the trade license. The cities were still further placated by a decrease in their share of the total assessment, which, however, did not put such a burden on the country districts as might be supposed, for they had the privilege, denied them elsewhere in Brandenburg-Prussia, of carrying on domestic industries and keeping country stores. All this was accompanied by a necessary increase in the cities' power of self-government and by a royal promise to the estates of Cleves-Mark that no increase in their budget would be made without their approval.

Many other enlightened reforms were suggested only to be opposed and killed by bureaucratic shortsightedness or the objections of the military officials, who were unreasonably fearful that something might hamper their authority. Sometimes Heinitz and Stein turned from what they advocated to other projects, but on other occasions they quietly went ahead without cabinet approval, after having waited a reasonable time for

the day to dawn on these benighted officials. Wöllner, a renegade pastor and fellow member with Frederick William II of the mystical order of Rosicrucians, and now his minister of religion, had his hands on the royal purse also, and was thus able to block some of Stein's projects for internal improvement.[18] At another time, the cabinet, stirred up by the complaints of the military department, which had been put to shame by Stein's efficient work as a commissary for the Prussian army quartered in his provinces, asked for his accounts with the imputation that he needed investigation, and when he sent them in with indignant protests they neglected to apologize or explain. Through a study of such a career as that of Stein in Westphalia it ought to become clear to any student of the *ancien régime*, within or without Prussia, how it was possible for a state to have a highly centralized government and many good administrators, and yet remain unreformed and burdened with outworn political and social institutions.

If Stein did not receive the doubtful blessing of the approval of such ministers as Wöllner, he might well have been cheered by Heinitz's frank avowal that "he has helped me to accomplish most of what has come about during my administration."

Like Turgot he was also rewarded by the appreciation of the people among whom he labored. At the harvest festival in Wetter in 1795, the inhabitants presented him with an address that must have done much to make him more contented with his work and with the people whom he had come to love, though he still scolded about them on occasion. Passages from it make such an excellent summary of what we have just been con-

[18] *Cf.* the writer's articles in *American Historical Review*, January and April, 1910.

sidering that I cannot refrain from quoting them in part: "For a long period the operation of the mines among us had been given over to caprice, ignorance and selfish exploitation. The present only was considered, not the coming generations. In this situation mining ordinances were proclaimed and executed whose wisdom the best informed in such matters admire, and whose beneficent effects are now acknowledged even by those who once opposed them and for which the coming centuries will thank the present age." After reviewing the unsatisfactory condition of the roads they say: "Highways were built at royal expense that have beautified our region and have brought countless advantages to our agriculture, our factories, our commerce and our social life—built," they continue, "not by the sweat of the unpaid inhabitants but through the generosity of the monarch. . . ." After summarizing the improvements in the taxation system and the method of recruiting they conclude with this personal tribute to their benefactor: "There was a time when the inhabitant of Westphalian Mark (whether through his own fault or not we do not know) did not see in the officials of the king's chambers councilors, friends and protectors, for coldness, reserve, mistrust and fear had closed their hearts. Then a man began his labors among us whose exalted uprightness, pure patriotism, rare knowledge, [and] indefatigable activity won universal admiration. He inspired with his own heart and spirit those who worked under him. They imitated him, and a noble and pleasing interest in the common welfare was immediately incited among all those who wished well to our native land by a single great example, [and this spirit] promises the fairest fruits. Candor, love, confidence, unite our people ever more closely

to the present excellent administration. . . . Hail to the people who are given such a man! Hail to us!'"[14]

It was Stein's fortune to have had a part in the two things with which historians are accustomed to begin an account of the hegemony of Prussia in Germany,—with the formation of the *Fürstenbund* by Frederick the Great, and the attempt by his successor during the years following the treaty of Basel, in 1795, to hold the north of Germany under Prussian protection behind a demarcation line.

The *Fürstenbund,* or League of Princes, formed in 1785, was Frederick's recourse when in the diplomatic isolation of his last years he found himself, without European allies, face to face with the renewal of the Austrian plans for the acquisition of Bavaria by the transfer of its rulers to the distant and troublesome Austrian Netherlands on the French border. Russia in return for a free hand on the Danube was doing all she could to forward the ambitious plans of the Austrian ruler. France was still an Austrian ally, and England had left Frederick's side in the great crisis of the Seven Years' War. In any case she could not in view of her own domestic troubles of the recent past be expected to interfere actively against this shifting of territory and power in the center of Germany. Frederick, whose indifference to his smaller German neighbors approached contempt, suddenly found value in their alliance, and in the idea of some of their ministers that the Holy Roman Empire of the German Nation could be protected by a league of German princes after the character of the Schmalkaldic League of the sixteenth century. At least that was the shape the idea took in Frederick's mind. With the coöperation of Saxony

[14] Pertz, I, 148-151.

and Hanover, his two most important neighbors of electoral rank, he perfected a plan of union (March-July, 1785) which bound its adherents without reference to religious differences to act together in important imperial matters. It especially obligated them to military resistance to Joseph's exchange plan in the matter of Bavaria. It was later joined by the most important other minor German states, except those which, like Hesse-Darmstadt, consistently favored Austria or, like Oldenburg, were allied to the Russian dynasty. The chief diplomatic triumph of Frederick's clever plan for blocking Joseph's design was probably the lively interest aroused in its behalf in Duke Charles of Zweibrücken, who as next in succession to the Bavarian lands had been the center of Russian-Austrian intrigue. Next to his adhesion, and in some sense overshadowing it, was the Prussian success in securing the membership in the union of the electoral archbishop of Mainz. In this triumph the efforts of Baron Stein were no small factor.

Frederick and his ministers, who were handling a distinctly Prussian project under the guise of preserving the existence and institutions of the moribund Empire, needed some one who believed in the Empire to act as their agent to the chief of those lesser courts, which found their safety in preserving this Empire and preventing either of the two great powers, Austria and Prussia, from threatening their existence. Stein, though a young man at this time and without diplomatic experience, was suggested by Heinitz. Stein was a Prussian official who believed in the reality of German interests beyond Prussian borders; who had been very considerably influenced to enter Prussian service by Frederick's action when this issue concern-

ing the Bavarian succession had first come up seven years before. Upright, straightforward, believing in his cause more than did his superiors, Stein was a happy choice. The family of the young imperial knight had for generations been connected with the electoral court at Mainz, where he himself had visited, and where his brother was later made minister resident of Prussia. He took up the task reluctantly and after considerable urging, in which Heinitz suggested that if he declined it would be thought that as an imperial knight he did not want to cross Austria. Once in the work he besieged the ecclesiastical elector and his advisors, pressing his arguments with vigor and, aided by the skill of von Böhmer, with success. In October 1785, the elector of Mainz, chancellor of the Empire, joined the league, which as a result controlled four votes in the electoral college, and represented a force under Frederick's leadership sufficient to compel the reluctant abandonment by Joseph of his ambitious plan.

Stein's work was no sooner done than he hastened back to his administrative work with relief. The details of the negotiations, which occupy a disproportionate space in many lives of Stein, had disgusted him with the petty intrigues of court and backstairs methods with which he found a diplomatic mission associated. He decided that such a career was especially unsuited to him, on account of "my inclination to independence, and my frankness and irritability." Two years later he declined in succession the missions to The Hague and St. Petersburg, both very important posts in view of Frederick William II's desire to use Holland as a stepping stone to an English alliance

and thus check Russia and Austria in their plans on Turkey.[15]

Though he declined a diplomatic career and returned to Westphalia, Stein was not unaffected by the results of Prussia's foreign policy during the next twenty years. Indeed the biography of any Prussian official whose nominal duties were in the field of internal affairs may be made the starting point not only for a description of the *ancien régime* in Prussia, but also for an account of its foreign policy between 1786 and 1806. The war against the French Revolution, the establishment of neutrality in North Germany after the treaty of Basel in 1795, the partitions of Poland in 1793 and 1795, and the incorporation of the unsecularized areas given Prussia in 1802 as indemnities for the lost territory on the left bank of the Rhine, so enormously widened the field of administrative activity that the execution of experiments in reform was hampered in a state whose governmental and social system was fast being outgrown at the close of the eighteenth century. Many improvements and reform projects had to be put aside by the Prussian monarchs between 1789 and 1806, all too willingly on their part it must be said, because of lack of funds or because there was not the surplus royal energy over and above the tasks of the day.

Prussia, after a most tortuous series of diplomatic maneuvres, abandoned the *Fürstenbund* and in February, 1792, became the ally of Austria. A few months later she entered the lists against revolutionary France. Disaster in the field, dissension with her German ally, and the cessation of English subsidies in-

[15] He declined the Danish legation in 1782 while studying at Freiberg. Lehmann, I, 49, 85.

duced the temperamental Frederick William II to abandon the French war that he might have a free hand in the Polish partitions. On April 5, 1795, Hardenberg as Prussian envoy signed the treaty of Basel. By this treaty Prussia retired from the struggle and established a "demarcation line" which neutralized Germany north of the Main river.[16]

The peace and quiet which followed Basel for ten years, though marked by great political weakness and unutilized opportunities to renew the inevitable struggle, were years of material prosperity and development, in which Stein was able to carry out many of the interests we have seen him following in his administrative work. A product of the old Empire, he was harder hit than many another Prussian official by the collapse of the war on the Rhine. When, in the fall of 1789, Custine with his half disciplined French regiments swept forward and took Mainz, Stein's own region and the provinces under his charge were filled with retreating refugees, who spread the terror of the French like contagion. Stein was everywhere, working with his brother, who had fled from his post at Mainz, to hearten the princes of the region, rally new troops to fill the ranks of the army and provision those already in the field. It was not like Stein to wait for orders, but rather, wherever work was to be done that could be done, there he was, a German with his whole heart in the work of saving Germany. Nothing that he or his brother could do could save Mainz or Frankfort, but his energy both at army headquarters and in the courts of Hesse, with the Hanoverian regency, and at Darmstadt had much to do with the success of the Germans in recovering the imperial city of Frankfort.

[16] On this policy see Ford, "Hanover and Prussia, 1795-1803." New York, 1903.

The ultimate retirement of the Prussian army to the east bank of the Rhine in 1794 and 1795 and finally, after the peace of Basel, behind the demarcation line, gave Stein a new task in furnishing it with food supplies. This he did to the satisfaction of all but the great contractors, for Stein cut them out of their profits by dealing directly with the small contractors. The military officials grumbled a little at his activity which they thought touched so closely the institution of the army, near which no civil official might have a position of influence, and Berlin bureaucrats looked askance at his success in securing the abrogation of grain taxes which would have hindered him in importing the needed supplies from other provinces; but Stein won his argument against impoverishing the Westphalian provinces by throwing the whole burden on them. With equal tact and energy he secured the cooperation of the provincial estates in the support of the "demarcation heroes," as the army was sarcastically called. He was particularly interested in the efforts of the Prussian government, directed by his former college classmate, von Dohm, to revive the Diet of the Westphalian Circle in this connection. In this long neglected institution he saw, as did only a few of his contemporaries, an opportunity for securing joint action by several German states in a matter, the protection of their neutrality, which concerned all. But nothing came of the one attempt to get common action at the so-called Congress of Hildesheim and thus revive the *Fürstenbund* in a new form. When Prussia again took up the work of binding the states of north Germany to her it was in the form of the *Zollverein*, and the tariff legislation of 1818, on which that was based, followed the lines of Stein's activity a quarter of a century earlier.

In the larger matters of foreign policy during these years Stein had no influential part. With the policy of neutrality he had no sympathy. The treaty of Basel was to him, who saw the whole subject from the standpoint of Germany, "an unfortunate peace which was the cause of all the evils which now afflict us," and "the bitterness in the Empire against the court of Berlin" he felt was justified by "this perfidious abandonment of Germany."[17] General Möllendorf's action, or inaction rather, and his part in preparing the way for the negotiations at Basel, Stein condemned as "stupid inertia" and "a senseless and scoundrelly policy which, while exposing him to the execration and contempt of coming generations, had resulted in the loss of millions of victims." When he wrote these words, in July, 1796, he had probably no more than a suspicion that the French occupation of the left bank of the Rhine was to be other than temporary. Neither he nor Heinitz thought it possible that such rich and loyal Prussian possessions would be given up by the successor of Frederick the Great. Gradually, in the course of the two years following the treaty of Basel, the secret clauses of that instrument became known, and when Austria completed the treaty of Campo Formio, in 1797, the whole secret was out.

The French were to keep the left bank of the Rhine pending a definite arrangement with the Empire, a mere form now that Prussia and Austria had both acquiesced, and the hereditary German princes whose territory was thus lost were to be indemnified in Germany. The word hereditary told the whole story. The ecclesiastical princes were not only not to be indemni-

[17] Heinitz had favored peace. See article on Heinitz by Steinecke in *Forsch. zur Brand.-Preuss. Gesch.*, XV.

fied but were clearly indicated as the victims whose possessions on the right bank must settle the accounts of those hereditary princes who had lost territory by the cession of the left bank to France.

Frederick William III and his chief minister, Count Haugwitz, resisted all efforts to draw Prussia into the second coalition against France in 1798 and 1799, and the equally vigorous efforts of Siéyès, the French ambassador, to force them into a French alliance. Neutrality was by his very nature the policy which appealed to the young king even more strongly than it did to the minister who had organized it. Frederick William III forgot that the only neutrality possible in such struggles was a neutrality where one walked with clenched fists ready to strike at a moment's notice. Thus matters drifted along until, with Napoleon at the head of affairs in France and a temporary lull in the European struggle after the treaty of Luneville, the question of indemnities and secularizations could be taken up by France—not with the Empire, nor with Austria, nor with Prussia—but with Russia, which since the treaty of Teschen, in 1769, had claimed and exercised an interest in the course of territorial adjustments within the German Empire. Paris became in 1801 the center of the disgraceful traffic, and Prussia one of the earliest and most eager bidders.

Prussia's indemnity was settled by a direct arrangement with Napoleon, May 23, 1802, approved after the fact by Alexander I of Russia and almost a year later by the German imperial deputation. In return for the cession of Guelders, Mors and a part of Cleves, with other small areas, on the left bank of the Rhine, she was given also Eichsfeld, Erfurt, the bishoprics of Hildesheim, Paderborn, about half of the bishopric of

Münster, the imperial cities of Mühlhausen, Goslar and Nordhausen, and various minor ecclesiastical holdings in Thuringia and Westphalia. Her losses have been established at about 1075 English square miles, with 125,000 inhabitants, and her indemnity at 4700 square miles and 500,000 inhabitants. The further advantage of this territory in close proximity to her other Westphalian possessions with the privilege of immediate occupation made the Prussian indemnity a very liberal retainer on the part of Napoleon to a possible future ally.[18]

Prussia lost no time in occupying the territory assigned her. General Blücher as a representative of the military went into Münster in July, 1802, and after disbanding the few soldiers supported by the bishopric sought to enroll them as Prussian soldiers. A temporary organization commission, with subordinate commissions in the various areas, took up its residence in Münster under the presidency of General Schulenburg-Kehnert, a military man of uncertain principles and superficial knowledge of administration and diplomacy. The patent creating the chief commission provided that Stein was to be called into its service. The friction between the inhabitants of Münster and the Prussian military and civil officials led Schulenburg-Kehnert to urge Stein to come as soon as possible. Stein, who had been asked to consider a ministerial position in Hanover, refused it and accepted the call which brought him one step nearer the destined field of his greatest work. September 27, 1802, he arrived in Münster and took up his residence in one wing of the

[18] "Cambridge Modern History," IX, 91-94. Heigel, "Deutsche Geschichte, etc.," II, 412 ff. Häusser, "Deutsche Geschichte," third edition, II, 333 ff.

old castle. In the other wing dwelt Blücher, whose acquaintance he had made several years before and now renewed to the mutual satisfaction of both.

Stein's appointment gave him, after January 1, 1803, when the temporary commission was dissolved, direct supervision over the work of incorporating Münster and Paderborn into the Prussian state. It was the most difficult task in connection with the indemnity. Both were Catholic bishoprics with a thoroughly Catholic population hitherto free from the burdens incident to such a military state as Prussia. The inhabitants looked with suspicion on every move of the Prussian officials, scenting danger to their religious faith and their old liberties in every step taken by the new régime. Their prejudices had been much aroused by the harsh and untactful actions of Blücher and the bureaucrats who were on the ground before Stein arrived. Matters were further complicated by the fact that the half of Münster not given Prussia had been divided between half a dozen petty German princes, whose delay in acting led the Prussians to occupy their territory for them. This resulted in a series of bickerings with these disgruntled recipients of an undesired favor.

Stein set to work with characteristic energy to learn all he could of the people and land with which he had to deal.[19] True to his maxim that "knowledge of local conditions is the soul of good service," he studied and traveled and set his subordinates gathering correct statistics and acquainting themselves with the new provinces. He sought by every means to allay the resentment aroused before his arrival, a resentment

[19] *Cf.* Wilman's essay on Stein's reorganization of Münster and Paderborn in *Zeitschrift für Preussische Geschichte und Landeskunde*, Vol. 10.

which his severe language concerning the subordinates of the commission shows he thought was fully justified. Following his advice the most capable of the old officials of Münster were drawn into Prussian service that their names might serve as a guarantee to the people of the sincere purposes of the new government.[20] His recommendations on the three principal subjects of preserving the local estates, introducing only a modification of the Prussian excise and Prussian military systems were practically rejected by Schulenburg-Kehnert. The king and his advisers were not anxious to further extend the Westphalian arrangements into the newly acquired area, nor did they adopt Stein's suggestion that the peasants be made "entirely free in person and property."[21] They preferred "to inoculate" it, to use Stein's phrase, with the institutions of the provinces east of the Elbe. The estates were dissolved, the excise system and the cantonal method of recruiting were introduced, and Stein's efforts to placate public opinion and make a commercial unit out of the western provinces and establish freedom of person and lands were nullified. Nothing came of his large plans for making a great educational institution out of the struggling university of Münster, which he hoped to develop into such an institution as is now realized in the American state university where applied science and the mechanic arts have a place side by side with the traditional four "faculties" of the German university. He familiarized himself with the ideas of Pes-

[20] Years later Napoleon paid Stein and the Germans an unconscious tribute when he gave Jerome, king of Westphalia, instructions to make it clear "that the declared principle is to choose talents wherever they can be found; that is the way to the heart of Germany." "Corr. de Napoleon," XVI, 174.

[21] Lehmann, I, 301.

talozzi, and his recommendations concerning the whole field of education from university to parish school are an excellent proof of his thoughtful and intelligent interest in fields to which the ordinary bureaucrat was all too blind. Stein's equally wide-reaching plans for internal improvements were never carried out, for his occupation of his new position was too brief. It was brought to an end by his promotion to a ministerial position in Berlin.[22]

The immediate occasion for Stein's advancement was the death of Struensee, the minister in charge of the department which covered the functions of modern ministers of finance and commerce and manufactures. Struensee had come to Prussia in 1772 from Denmark at the time his younger brother, a court physician, had lost his life for his intrigue with the Danish queen. His reputation for wisdom and learning had thrown over his long ministry a glamour, hardly warranted by anything he accomplished for the many interests under his direction. For some time Struensee had simply been keeping the machinery going, replying, it is reported, to suggestions of improvements: "I am old and burdened with affairs. Why should I puzzle my head with new arrangements when the king is satisfied?" His death in September, 1804, after a long illness, made a place for Stein.

The appointment was not made on Frederick William III's own initiative. The king had met Stein once and had in 1799 without just cause severely reprimanded him for an action which Stein clearly showed he had never taken. Stein's name had been up for a place in the ministry by reason of another vacancy the year

[22] On the special literature see Dahlmann-Waitz, "Quellenkunde zur deutschen Geschichte," 7th ed., Nos. 8062 and 8112.

before Struensee's death, but the king passed him over. When brought a second time face to face with the necessity of filling a ministerial position, the king sought to temporize by dividing Struensee's numerous functions, and tried out a certain Borgstede who had sought the office in a most amazing letter discrediting Stein. Everybody with whom Borgstede had spoken, he said, thought that the appointment of Stein would be the most unfortunate one that could be made. The letter is such an interesting revelation of the sort of charlatanry which imposed upon the king that I quote that part which is given by Professor Lehmann:[28] "I have had an opportunity to converse with some men who are thoroughly acquainted with Baron vom Stein. They do full justice to his mind and his knowledge, but his ideas in matters of taxation and manufactures are entirely opposed to those hitherto followed. Besides he is possessed of an activity that degenerates into disorder, for he quickly adopts a new thing and is never at ease until he has replaced the new by something newer. Everybody is agreed that he is excellent in provincial administration, where principles and control are furnished from above, but that in no case would he be agreeable to us in the excise or manufactures department, even if he should master his natural relations with Hanover and the aristocratic principles derived from his education and inadmissible in the excise department." Borgstede had his reward in a temporary appointment to the management of maritime affairs, the bank and the salt monopoly. His subordinates soon proved so unruly that all thought of making him a minister had to be abandoned. It was then that Stein's friends obtained a hearing. Among them must

[28] Volume I, 314.

be mentioned Beyme, whom Stein several years later found the chief obstacle in the way of his doing for Prussia those things on which he had set his heart. The king had clearly conceived a prejudice against a man whom he suspected was the sort of a genius who would emphasize the mediocrity of the king and his colleagues. To use Frederick William III's own words, he "yielded," and Stein was appointed October 27, 1804, as minister in charge of the department for excise and manufactures, and two weeks later the bank, the salt monopoly and maritime affairs were put under his direction. All these functions he was to exercise under the supervision of General Schulenburg-Kehnert.

It was with regret that Stein left Westphalia, where he had spent twenty active, happy years, but duty called and he obeyed. The words with which he replied to a congratulatory note from Beyme are highly significant. "If one is thoroughly convinced that the progress and culture of Germany are firmly and inseparably bound up with the good fortune of Prussia, one certainly cannot hesitate a moment between duty and personal inclination." As a German he had entered the service of Frederick the Great, from the standpoint of Germany he had judged every measure of wide significance which he had supported as a provincial governor, and now in the service of Germany he accepted advancement into the ministry of his adopted state.

CHAPTER III

Personal and Domestic

It was with reluctance that Stein left the scenes of his early labors. In later years of heavy responsibility he looked back to this period with real affection, for he was never a lover of cities or city life. At a dinner in Berlin with Schleiermacher and the court chaplain, Eylert, who had been his associate in Westphalia, the latter asked him, " 'What place do you like best and where have you been the happiest?' The great statesman did not name Berlin, or St. Petersburg, or Vienna, or London, but quiet little Wetter on the Ruhr. 'There,' he added, 'in that beautiful region, I have enjoyed the pleasures of solitude. I have still a touch of longing for it, and cling to it fondly.' "

Stein in his old age gave proof of his attachment for the hills and valleys of the Ruhr by making it the home of his declining days. But as a young man he did not at once appreciate the blessings of solitude. The one note that sounds unceasingly through his letters in his bachelor days is his complaint at the isolation in which he found himself. His native intellectual power, his whole training and education removed him from the possibility of making close companions of his associates and subordinates. His letters are punctuated with his contempt for their mediocrity, their lack of scientific training, and their devotion to the official routine which he despised wherever he found it. Writing to the wife of Heinitz in December, 1784, after his

return from a visit in Nassau, he says: "Although I find more to do here than at home, still I feel such a void, such a monotony as comes from the total lack of society among the people with whom I am associated. I have none but subordinates about me, with their forced smile and supple knee. There isn't a one of them for whom I care in the least."[1]

He writes to his sister who was directing affairs at home: "I must preach to you patience with my father, although I have so little of it myself, and am made daily more violent and irritable by the slackness and stupidity of the most of those working under me. But by steadfastness one may achieve one's purpose and end life as something more than a plant." And again: "My duties and physical activity, the prospect of doing some good, bring some variety into my solitude, and the hope of taking some pleasant journeys serves to brighten it when it becomes wholly disagreeable." Then he continued in a strain less significant in a young man of twenty-eight than it would be in one of maturer years: "Only one thing occupies me now, that is the future. My position requires youth, good health, and for a thousand reasons would not be suited to a man of uncertain age. Meanwhile I seek to do my duty and neglect no opportunity to increase my knowledge, and the rest I leave in the hands of Providence." And then again a month later, in seeking to console Marianne, and perhaps himself, too, now that he had abandoned the idea he had had of entering the Austrian service: "Be comforted, dear sister, by the good that you are doing and the evil that you are preventing. This is what keeps me from changing my situation, although I have had a desire to, sometimes, for things do not

[1] Pertz, I, 29.

always go as I would wish. Good is accomplished but slowly, and one must pass a part of one's life in correcting the folly of one's predecessors and the indiscretions of one's subordinates. Patience is the most useful and the most necessary virtue in this world .... 'I do not seek for angels of heaven on this earth but for earth dwellers, men, and content myself with what the great mother earth bears, cherishes, and tolerates and at last receives unto her bosom,' says Herder in his 'Suggestions for a History of Mankind.' "

One comfort Stein found in the solitude of his busy life. "My correspondence with my friends," he says in the letter just quoted, "indemnifies me for the total lack of society in which I live." Among "the friends of tested and exceptional faithfulness and worth" who comforted him when the burden of his duties almost mastered him, he names first and foremost Marianne, Rehberg, and Madame von Berg. These were the three with whom he says he felt "a complete accord of feelings and ideas, and in converse with whom I felt wholly at ease, whose opinions, acts and conduct agree in essentials with mine or with whom it is easy to make concessions. I would not conceal any thought from them and do not intentionally. . . . " This possibility of finding comfort in such friendships he attributes to the example of his sainted mother, "one of the noblest, most active and most deeply religious women, and in the highest degree capable of unchanging friendship; any variation from her example was for me a step towards ruin and a source of bitter remorse."

Of the three friends whom he "would grapple to his heart with hooks of steel," two are already known to us: Marianne, the unmarried sister who had assumed the responsibility of the household in Nassau and later

became the abbess at the head of a chapter of a Lutheran foundation for women at Homburg; of all the family she was the one most like Stein in looks and character. The second was Rehberg, a friend of his college days in Göttingen. They not only corresponded but visited each other frequently, for Rehberg was close at hand in the service of the neighboring electorate of Hanover, his native state. When Stein was called to Münster in 1802 he sought to induce Rehberg to enter the Prussian service, but he was unsuccessful and they never met again. Gradually the two friends drifted apart for reasons one can only surmise,[2] and their friendly relations were not resumed until twenty years later, when Rehberg loyally supported Stein's efforts to publish the *Monumenta Germaniae Historica*. In the meantime they had destroyed the letters which had passed between them, but Rehberg's tribute to Stein, published after the latter's death, is a lasting memorial to their friendship. There is in it a paragraph on Stein's personality which corroborates the picture given us by Eylert.[3] "Stein was sharp and decisive in his opinions, very animated, even vehement in his utterances, and rather intimidated gentler and more pliant natures. But he was always single-minded to the matter at hand and so was ever willing to listen and reconsider.... Every minute was valuable to him, and once when I hesitated in answering a question that I would rather have avoided, he answered it himself, adding, 'When you have taken part in a couple of campaigns you will not take so much time to consider.' "

The name of the third friend is a new one to this

[2] Pertz, I, 158-160.

[3] *Cf. infra*, p. 63.

biography. Madame von Berg is best remembered as the friend of Queen Louise, one of the best and most uplifting influences that came into the life of the queen just when she was realizing the intellectual emptiness of her life at court, and helped to lead her through precept and well-selected reading into a wider and surer view of life. Stein had come to know Madame von Berg long before this, probably while he was a visitor at the Heinitz household. Her mature and vigorous intellect and interesting personality made him feel that her friendship was a privilege. When he went to Westphalia he sought to keep it alive by correspondence. His letters to Madame von Berg are more frequently quoted by Pertz than those to any other friend of these days. In their ardent expressions of appreciation for her friendship, in their self-analysis, and their enthusiasm for the beauties of nature, they are an interesting revelation of the character of Stein and of the eighteenth century.

Many passages in the letters discuss books or travels or mutual acquaintances. Of those of a more personal character the following is typical. Writing April 20, 1792, Stein says: "I see from your letters that you attribute my friendship to a certain exaltation, and that I overvalue you in my imagination, and then in a letter in which you try to diminish my appreciation, you demonstrate to me in every word the sound understanding and purity of character which you possess in such an exceptional degree. At this very moment, separated from you as I am, and from everything that could arouse the magic power of imagination, immersed in numberless tedious duties, in the society of men with whom I have nothing in common, I would not obscure a feature nor add a shadow to your picture as I see it

in my mind's eye. I no longer fear the dreams of imagination, from which, alas, experience has completely awakened me." In a succeeding paragraph of the same letter he writes: "I am busy again with the official duties of which I am very fond, for I have the habit of work, and, in a certain sense, rapidity in doing it, because most of the things I have to do interest me. But I feel very keenly how grievous complete isolation is, total separation from the persons one loves, and how gloomy and uncommunicative it makes one. Please come to Pyrmont, and then to Nassau, dear madame, so that the hope of seeing you there may recompense me for the separation from you in which I find myself at present." When he renews the invitation later, it is with a promise that if she came he would show her "many an interesting and picturesque landscape."

In reply to a letter of Madame von Berg's in which she had evidently quoted a certain passage from Rousseau, "que dans les grandes sociétés on n'apprend qu'à haïr et mépriser les hommes," he continues: "Most certainly one only finds the joy of life in viewing the beautiful scenes of nature and in converse with friends with whom one agrees in feelings and ideas, but it is impossible to find reasons for hating mankind in large social groups which have come together partly from curiosity, partly from custom, and partly through childish vanity." This Rousseauistic passage is followed by a repudiation of Rousseau and his dreams. They are to Stein but the product of an overstrained imagination and so far from the truth that they could never be accepted as a philosophy of life.

Stein's isolation in Wetter had other variations than work and correspondence. There were frequent trips to his estates in Nassau, official journeys to Berlin and

Magdeburg, and longer ones, such as that already mentioned, into southern France and to the court of Mainz, both of course, filled with official duties. During the early years of the war he was frequently at army headquarters and was a witness of the French evacuation of Mainz. Such excursions as the latter gave him a high opinion of the discipline and spirit of the rank and file of the Prussian army, and an insight into the inefficiency of its commanders and of many of the advisers of the king. For these his contempt was unbounded and unrestrained in expression. He was from necessity a frequent visitor at the headquarters of the French *emigrés* after the brothers of Louis XVI had taken up their residence at Hamm. His pictures of them are drawn in not unfavorable colors, and his indignation at the French commanders and administrators after they had occupied the left bank of the Rhine was as fervent as one might expect from such a patriot and from a conscientious administrator who saw part of his territory ruthlessly exploited and the industries of the rest crippled by the French tariff of 1791. He was a frequent visitor in Hanover, at first at the house of Rehberg, and later among the closed circle of the governing aristocracy with which his marriage connected him. His longest journey was a visit to England and Scotland from November 1786 until August 1787. Though the leave of absence was given for the purely technical purpose of allowing him to investigate English mines and mining methods, one would gladly know more of the impressions it gave him and the men he met, but our knowledge is confined to mere references in his autobiography and official reports. A full account of these months in the land whose history and institutions he had made a life-long study would throw

much needed light on the development of Stein's ideas.

That Stein had few intimates among his official associates is quite possible. He was an exacting superior who set high but just standards. "Judgment on the efficiency of any official should in no case be based on individual acts, for these may be hasty, wrong and mistaken, but rather upon his whole conduct," was a maxim with him. True to it, he discharged men who were hopelessly wedded to outworn methods, and sought to draw into service young men of ability and education. Inefficient and overbearing officials found no mercy at his hands. On the other hand, he was more than willing to reward capable subordinates, and he left the Westphalian service with the good will and devotion of those with whom he had worked.

Outside the official world he had made many friends during the course of his twenty years or more in the west, and his complaints about the lack of intimates apply more particularly to the first year at Wetter, and have in them at all times a tinge of the loneliness of genius. In the course of his official duties he renewed his acquaintance with his college mate, von Dohm. His work as commissary of the "Army of Neutrality" gave him a valued intimacy with the Duke of Brunswick. Blücher lived and worked with him in Münster and pronounced him "a very upright man with whom I am entirely in harmony." Scharnhorst, at first in the Hanoverian service and then in the Prussian army after 1802, was another friend of the Westphalian days. In Hanover were Rehberg, Brandes, the Bremers, and Münster, all men who were making a place for themselves in the affairs and thought of their time. That brilliant scion of the house of Hohenzollern, the wild and profligate Prince Louis Ferdinand, came

into his life, and Stein through his efforts to save the prince from himself helped to preserve him for something nobler than the death of a debauchee. Surely this incomplete list of men whom he really knew was not an inconsiderable asset, for no man came in contact with Stein who did not see in him great possibilities.

Pastor Eylert of Hamm, later court chaplain of Frederick William III, wrote down years afterwards his memories of Stein as a proconsul of the Prussian monarchy to the provinces west of the Elbe. It is gossipy, repetitious and not untouched by later knowledge of Stein's career and character, but well worth quoting as an attempt at a full length portrait by an intelligent though commonplace mind.[4] "As president of the Westphalian chambers he [Stein] was often in Hamm. . . . He liked to visit the quiet, pleasant little country town, particularly during the summer months, when he often made his home at the residence of court councillor Kuehlenthal near the south wall. From the upper rooms which he occupied, this friend of nature had an outlook toward the mountains of Sauerland, where lay the quiet well loved town of Wetter. Necessarily as the local pastor I came in contact with him, more particularly because he and the war councillors von Rappard and Terlinden, unlike their colleagues in the chambers of war and domain, had the habit of attending church. Several times he desired copies of my sermons and was particularly pleased with one on the French Revolution then raging, from the text 'Where the spirit of the Lord is, is freedom.' This was the occasion of his summoning me to him, and his words on that occasion were like brilliant flashes of lightning parting the clouds.

[4] Eylert, "Charakterzüge aus dem Leben Friederich Wilhelm III.," Vol. II, Pt. 2, pp. 264 ff.

"I was then a young man of twenty-seven and felt myself powerfully drawn by the fertile spirit of the man and by his vivacity and warmth. That I might have an opportunity of speaking with him oftener, I went in the evening to the East avenue, where he was accustomed to take his walks in the twilight, and where, when he addressed me, I felt at liberty to walk with him. This was ever a great treat for me, for I was always stimulated, enlivened and inspired by this exceptional man. I was never with him, I never left him, without finding myself uplifted, encouraged and better.

"Soon after this I became an amanuensis to this very busy man, with the duty of making short reports to him, after the fashion of the *Jena Literateurzeitung*, about recently published books. He usually chose the dinner hour for this, ordering three courses for the two of us from the city restaurant. At this frugal meal he showed himself talkative, cheerful, humorous, pre-eminently sarcastic. When the weather was good, we drank our coffee in the garden arbor. It was prepared by a talkative spinster relative. Three dogs trailed after her as she hovered about. While she was relating the latest gossip of the town, Stein usually fell softly asleep. Scarcely had this taken place, when Mistress Zahn became still and signalled silence. She had so much reverence for the sleeping superior president that she quietly fanned with a green branch the Cato-like countenance, with its high, earnest, impressive brow, and the fine, thin, satirical lips. Frequently the sleeper awoke, looked around with his bright fiery eyes, and then fell asleep again, till his old bodyservant came at an appointed time.

"Stein was a rich man and he gave much to the poor, but used very little for himself. He lived simply, kept

only one saddle horse, and one servant. Healthy, full of the joy and power of life, and in his prime, he was, although influenced by ideals and possessed of a lively imagination, a stoic when at work. When immersed in it, this otherwise lively man was so abstracted, his attention so concentrated, that he could labor at an interesting subject uninterruptedly for ten or twelve hours until he had completely mastered it, and whatever subject he chose he could master. He was not a person who could serve as a subordinate, but must always be at the head. He never tendered homage to authority as such, but always yielded to the superiority of insight and reason even when he found them among his subordinates. Then in the harmonic interplay of his powers, he was a profound judge of men, and appraised them at the very first glance. With a sharp measuring eye he penetrated that affectation and boasting which sought to conceal vacuity, and nothing was more distasteful to him than rhodomontade.

"He knew nothing of that worldly wisdom which suppresses one's real opinion out of consideration for others. He expressed his opinion frankly even when it was unpleasant, and although it might seem uncivil. He spoke very quickly and, when aroused, which happened frequently, with headlong rapidity. He did not know the art of keeping silence, and would not understand it, for he held it incompatible with an upright, honorable man. He remained immovably true to his own opinions, even obstinately so, though he were dealing with men in high places, ministers and princes, emperors and kings. For this reason he shared the fate of all great men in that he was frequently misunderstood, and as often blamed and disparaged as lauded and praised. Ordinary mediocrity shook its head and

shrugged its shoulders at him, the talented and energetic spoke of him with enthusiasm, and then reverence, particularly the younger ones, who went so far that they sought to become like him even in appearance, carrying one shoulder higher than the other.

"'It is an exceedingly difficult and disagreeable matter,' says Berthold Niebuhr in his memoirs, 'for a subordinate to obey readily a superior with less penetration, and to execute the superior's orders against his better judgment.' Such situations easily give rise to dissensions and disagreements, but this never occurred under Stein. He was always well informed about the matter under consideration, always master of it, and his instructions were promptly given, and one felt that they were really authoritative. Under the direction of such a superior one felt safe and sure.

"It is always instructive and noteworthy to observe how a superior intellect exercises its power and makes itself effective through its own weight. When Stein arrived in the little city of Hamm, the news spread like lightning, and one heard everywhere, 'He is here,' although he arrived quietly and unostentatiously in an ordinary coach with two extra post horses and a servant. Everything was in motion, particularly his colleagues in the Chamber of War and Domain. They streamed through the otherwise quiet streets of the old part of the city where he dwelt. Their sessions were—it is true—shorter than usual, for everything was directed to the question in hand, and went more quickly. Unnecessary prolixity in long introductions was distasteful to a man of his energy. To stimulate, to awake, to introduce new conditions with their improvements, even though opposition was vigorous and difficulties had to be overcome, to push

things relentlessly, this was the soul of his activity. When at work he did not linger long at one subject, but went rapidly from one thing to another. It was enough for him to have expressed his opinion in sweeping aphorisms, and then to add: 'That's the way it must be and that's the way it must be done.' He welcomed opposition, but only when it was well founded. This was seldom the case, for with his acute intellect he saw all sides of the matter, and then he became sarcastic and made his opponent ridiculous. As a result he was often unjust, and expected too much. A rapid worker himself, things went too slowly for him, who would have even a difficult matter settled on the spot. As he often made use of me in school and church affairs, I received from him once a written request to make a digest of a pedagogical article in the *Theological Quarterly* by Rathorp, whom he esteemed highly. Not being clear as to what he desired, I went to him to find out his wish in the matter. This was on the same day he had given me the commission. As soon as I entered his presence, he said: 'Are you ready?' When I answered: 'I need another half day to read the essay in question with care,' he replied: 'Oh, why be so slow about it? I could read the whole book through in an hour.' As he said this he sprang quickly from his chair, and strode rapidly up and down the room while I told him of Semler, who could read a folio volume in a forenoon. 'That's the way,' he said, smiling goodnaturedly, for though an exacting, irritable and impetuous man, he was at the bottom of his heart mild and amiable, guileless as a child and sorrowful as a Christian who felt his own weaknesses and insufficiency.

"Stein's profound intellect gave him the sense of

power with which to oppose men most highly respected, and to stand a free man in the presence of princes, kings and emperors. Yet he acknowledged reverently the divine authority of Christianity. In it he saw a divine revelation and hailed its growth and moral influence. He studied particularly the principal English writings against it, in order to strengthen himself in his faith. This rested upon a firm and sure foundation. He tested and thought, considered matters, not only through his clear, well-informed intellect, but he asked his conscience also and was, therefore, in every fiber a conscientious man and bore in everything he did an exalted, divine stamp.

"Stein's whole bearing was truly well-bred, and kept him from stiffness and pedantry as well as from coarseness and vulgarity. His clear understanding which demanded reasons for everything knowable made it impossible for him, on the one hand, to share those mystical feelings and enjoy the writings on spiritualism and revelation by John von Jung-Stilling, then so much read. On the other hand his deep feeling with its supersensual prescience preserved him from cold and lifeless rationalism. It was clear to him that the latter, whose principle was to accept as true nothing that it could not comprehend and explain, led logically to atheism. Consequently he was not in agreement with the tendency of the age which neglected the rights of the heart and acknowledged only the intellect as the highest and best. He very rightly attributed great importance to the harmony of man's whole nature, and believed that this concord of all one's powers, would bring outward content, and if not this, that it would make the discontent of life harmless and bearable. He talked most of this harmony when he had it least himself.

When he had spoken of it with enthusiasm, he ended with a deep sigh and his otherwise bright and piercing eyes had a gentler hue, and were raised on high with an expression peculiarly his own. In accord with these views he accepted the living spirit of evangelical Christianity and reverenced it in its loftiness and simplicity high over everything. On the other hand, the dogmatism of an old and outworn orthodoxy was distasteful to him and he ridiculed it. The mysteries of the Christian religion in its doctrines as well as in its history were sacred to him, and he treated them with reserve and reverence. The mystery of the Lord's Supper seemed particularly important to him, and as often as he partook of it, which was several times a year until his death, he sunk himself in its depths and celebrated it in a full conviction of death and immortality.

"His feet were firmly planted on the earth. He saw its changing phenomena clearly and connectedly, yet one felt oneself standing upon a higher plane when in his presence and under his influence. As I sympathized with his views, I enjoyed his confidence, and yet I lost it when I refused the call to the pulpit of the neighboring city of Münster, with the title of consistorial councillor. A grateful love for my parents, particularly for my good old mother, the earnest request of my friends and many relatives, the devotion and kindness of my parishioners, brought me after sleepless nights to the decision to remain in Hamm. When I told Stein this he turned on me sharply and said: 'I had your good at heart and wanted to make something out of you, but you are a spoiled mother's son, and have listened to your nieces and cousins. You will never amount to anything—you may go.' He became gruff and bitter when I wanted to be made a consistorial councillor at

Hamm and requested that he might appoint both myself and my senior colleague . . . . and divide the business and salary between us. He answered quickly and sharply: 'Your reverences have revealed to me your secret wishes, and if you should both be appointed it would necessitate an extra volume of the Prussian court calendar.' As my father, who knew the world and human nature, had prophesied, I was not appointed. Both my colleague and I remained as we were, and when with downcast countenance we met Stein he looked at us, particularly me, frowningly and sarcastically.

"Soon after this he was made minister of finance in Berlin, to the regret of Westphalia and particularly of the county of Mark, of which he was fond and whose principal villages and estates he knew so well. The new field of labor, the association with the rest of the ministers, the proximity to the king and the frequent appearances at court did not change his character. On the contrary, he expressed his opinions here at the true source of life for the state all the more freely and vigorously, and uncovered unsparingly all shams and underhandedness. He remained as he was—a stumbling block to all wrong,—called everything by its right name, and spoke to the king frankly and unreservedly. He was soon at variance with the privy councillors and was feared, though his penetrating insight was respected, and the masses loved him for his uprightness which often threw all tactfulness to the winds. . . .

"It was interesting and instructive to see this small, stout, strong limbed, squarely built man with his earnest, expressive face and his sharp bright glance, for he seemed to be an apparition which belonged to an age past and gone rather than to the complex one in which

he lived. You felt when you saw and heard him that here was a unique man, a man entirely out of the ordinary, who lived in his own ideas and principles. The cause to which he was devoted he kept always before his eyes—all else was mere ornament, and he disregarded and openly despised it in its paltriness and emptiness."

The phrasing of the old theologian's German is as intricate as the pattern of a Persian rug. No translation could render it into flowing English, but no translation can obscure the fact that his labored effort bodies forth a man devoted to principles and delivered by this devotion from awe or even respect for personalities. They, too, and their acts were "mere ornament," unless there shone through them judgments that were based upon something more just and enduring than the prejudices and interests of the passing day.

It was this same Stein who even in his student days had only words of contempt for those who dealt in abstractions and cultivated a closet philosophy untouched by practical experience. Yet no statesman of his day and few since have been more persistent and discriminating readers. Music and poetry had little attraction for him, but to the companionship of books, chiefly along the lines of his own interest, he gave all the time he could spare from daily duties. He possessed a considerable library of his own. Works on economics and history,—of Adam Smith[5] particular mention is made,—were devoured as fast as opportunity offered. In a letter to Madame von Berg he

[5] On the influence of Adam Smith in Germany see J. Rae, "Life of Adam Smith," ch. 24; Gentz, "Briefe an Garve," p. 63; Mirst, "Adam Smith" (English Men of Letters); Roscher, "Geschichte der Nationalökonomik," and special studies by Skerzinski, Hasbach and Delatour.

pays his tribute to history, of which he had a wide and accurate knowledge, and then, as may be seen from the passage, wanders afield. "It is certainly inspiring to live with the works on men of the past, to associate with them, to summon around you mankind at its best, and in the greatest moment of their lives. But if one abandons one's self wholly to solitude and withdraws from converse with his fellow men, the moral nature acquires a certain sensitiveness that is often distressing to us, and condemns us to inactivity. To be ever at work, and yet patient even when youthful vivacity and charity are lessened or extinguished by the burden of sorrow or the monotonous treadmill of life, this, I hold, is the best and completest result of all striving after development and culture, and alas, the rarest. Both qualities are easily lost in the turmoil of the so-called great world, if one lives for it solely, depending upon its applause and finding in it all his pleasures and the satisfaction of all his desires. One is least exposed to this deadening feeling of emptiness and monotony when one spends his life in suitable activity, in the application of his powers to definite ends." And at the end of this digression he comes back to a request that all the histories which Madame von Berg had undertaken to buy for him be sent to Hamm, where he was to be for a few days. One sees in this whole passage something of his philosophy of life, something of his love of reading and history, and something of his appreciation of the value of time.

One should not be misled by Stein's great interest in history into the opinion that he was what is called historically minded. His interests although broad led him to the accumulation and application of only those facts which appealed to him as a practical statesman.

His interest in self-government and in the free and untramelled expression of individuality gave direction and meaning to his study of English and German history. His conservative adhesion to established governments and the rights of the upper classes, and his patriotic and personal antipathies aroused by certain excesses of the French Revolution, seem to have so blinded him that he saw in it no faintest connection between his own principles and the results the Revolution was achieving. He writes, in March 1793, in answer to Madame von Berg's inquiry as to what effect he thought the whole movement would have on Germany: "French anarchy and profligacy will not contaminate the peaceful and moral German. He may not be triumphant in the struggle with this unhappy people, but he certainly will not go down to defeat. The examples of the horrors his neighbors are enacting, the misery which two numerous and illustrious estates, namely, the clergy and the nobles, of this nation are suffering, will eradicate many prejudices and hasten much good. I expect a war that will last some years, but its influences are beneficial. They are reviving energy and courage, and are giving a new zest to activity. They will increase the aversion to the terrible French nation."

But Stein's thoughts in 1793, as the rest of this letter shows, were not wholly on the French Revolution nor on books and official duties. It was written as he was on his way to Hanover to visit his bride-to-be. Quite possibly it has occurred to the reader that marriage was the best remedy for the uncompanioned existence of which Stein complained. The idea was doubtless in the young man's mind, but it was not the only consideration. Since 1779 he had been the destined head

of the family, and he and his children were to receive the estates at Nassau. His family, particularly his sisters, had been much more interested in securing him a bride than had Stein himself. When his sister Louise named a young lady of Mainz, he greeted it with good-natured raillery as something she had thought up on a rainy day. "As you know," he wrote to Marianne, "it's a silly business to appear as a conqueror of hearts, particularly when the heart has 12,000 gulden income, or attempt to climb into the heart on the shoulders of paternal authority. . . . I shall treat the whole project as I did a certain book of Herr von Trebra for which I subscribed three louis because I was firmly convinced the book would never appear." Glowing descriptions of other young ladies aroused his curiosity and made him hesitate about making a final decision.

The name that appears most frequently in his letters to Madame von Berg after April, 1792, is that of Countess Wilhelmina von Wallmoden-Gimborn of Hanover. Her father, the commander of the Hanoverian army, and an excellent if not a great man, was a natural son of George II of England. Stein's first comment on the Countess Wilhelmina is that she was always "gentle, good, docile, devoted to her friends and parents," and he adds, "I think she has a good understanding and purity of character." When Madame von Berg seemed to approve his choice, he replied that he was sure that Countess Wilhelmina "was responsive to good and in intercourse with cultured people will acquire a love of work and a greater wealth of ideas than she possesses." Later he showed that he was disturbed by her "family and provincial pride, which is peculiar to the Hanoverians." But perhaps the dis-

turbing element was another young lady whom he wanted to meet before he decided. A few months later he explains that he will not come to Berlin that winter as "I shall probably marry in the spring," and the preparations and official business to be dispatched would keep him too fully employed. The presence of the Wallmoden family in Ems, the watering place not far from Nassau, gave Stein an opportunity to see more of Countess Wilhelmina, and two weeks together with the family in Giessen and Cassel brought him to the conclusion that she satisfied his "wish to have some one near me who is an object of my love and solicitude." The marriage took place June 8, 1793. Stein was in his thirty-seventh year, and his bride was twenty-one. The first wedded years of a couple so disparate in age, interests and character were not free from misunderstandings, but these passed with the years. Stein, who once said to Madame Voss, "Do you not believe that a man's heart may be crushed when he lacks that which should be the real balm of his life?" later came to appreciate the quiet, retiring, home-loving wife whom changing fortune so often robbed of the peaceful home for which she longed. Stein's tribute to her on her death in 1819 is worthy of her and of him. Three daughters were born of the marriage. Two grew to womanhood. There were no sons to inherit the name and estates which his parents had given into Stein's keeping.

Stein's own care that the family name should be stained by no unworthy deed of his was fitly supplemented by the vigor and success with which he and Marianne managed the estates. Although a Prussian official he remained an imperial knight in feelings and in many of his interests. The estates, which were about as large as those of Bismarck, had to be carefully man-

aged in order that the debts with which they were burdened might be paid. Stein drew up an elaborate plan for the guidance of the stewards, but it was Marianne at home who had to carry out the economies. They were evidently successful, for Stein gave freely to charity, lived almost necessarily beyond his salary, and at one time advanced ten thousand dollars to help carry through his plans for internal improvements in the county of Mark. The advance of the French put some of his holdings on the left bank of the Rhine under their government, and not wishing to be subject to French exploitation, he sold these estates, and invested in 1802 in an estate in South Poland and received from the king the rights of a Prussian citizen for himself and his children.

A little over a year later his estates near Nassau were endangered by the Duke of Nassau-Usingen, with whom his family had had almost chronic litigation. This petty prince thought the program of indemnification announced by the imperial deputation in 1803 and the collapse of the imperial knights as an order, a good opportunity to increase his possessions. On December 31, 1803, his soldiers occupied Stein's estates at Schweigrausen and at Früchт, where his father was buried. Stein struck back in a vigorous public letter which overwhelmed the duke as with a flood of burning lava and made the name of the Prussian provincial governor known throughout Germany. "Germany's independence and stability," he tells the duke and his fellow Germans, "would gain little by the consolidation of the few knightly possessions with the little states which surround them. If these ends so beneficial to the nation are to be achieved, then these petty states themselves must be united with the two great monarchies upon whose existence the perpetuity of the

German name depends . . . . and may God grant that I live to see this happy consummation." In words that were tipped with the bitterness of his own experience at the lesser German courts in 1792 he drives home to the duke and the German public the lesson of those days when Germany's existence was threatened by the French. These petty princes with the exception of the duke of Brunswick had fled before the invader or sought to bribe him or negotiate with him. "What does it profit German independence when its strength is concentrated to a greater degree in such hands? . . . I shall never acknowledge a robber as my sovereign." As a free imperial knight he appeals in the same letter to the German Emperor against a situation which he [Stein] would never tolerate, even if his failure to submit robbed him of "the home of his ancestors for seven centuries, under whose roof he had hoped to spend his old age and there, amid the memories of his youth, to enjoy repose and to await translation to a better existence." "It is still harder to make all these sacrifices when they serve no great or noble purpose which furthers the good of all, but in order to escape a lawless superior, in order to—," then he pauses and closes impressively, "But there is a conscience which judges and a divinity who punishes."[6]

Thus Stein speaks as an outraged imperial knight. It is the same voice which sounded at the close of the preceding chapter in his reply to Schulenburg's congratulations on his promotion to a seat in the ministry of Prussia. It is the voice of him who rightly said, after the close of his official career, "I have had no interests that were not those of Germany."

[6] Lehmann, I, 302-309. The text of the letter in Pertz, I, 257-259 is deficient.

CHAPTER IV

Stein's First Ministry

With his promotion to the ministry in Berlin, Stein's field of activity and observation was much widened, but he was in no sense in a commanding or dominant position by reason of his new office. In the existing condition of policies and administrative organization, it was upon his personality rather than his position that he must rely in influencing events. The man was still larger than his work, and official life in Berlin was not "a career open to the talents." It allowed less independence than had been possible in such a semi-detached region as Westphalia.

A brief survey of the central government may help to explain some of the limitations of Stein's new position. The Prussian monarchy at the opening of the nineteenth century was still in theory an absolutism. Its limitations were the physical and intellectual ability of the ruler to do everything or to supervise its doing, or his courage and persistence in carrying out policies which might contravene class privileges, provincial customs and institutions, or bureaucratic forms and practices. Such bonds as these remnants of an old order and beginnings of a new, though impalpable and often indefinable, are nevertheless effective in a degree varying inversely with the genius and energy of the ruler. This is equivalent to saying that under a ruler like Frederick William III the Prussian monarchy was self-limited, for the king was neither a genius

nor the son of a genius. His chief advantage over his profligate and natively more capable father, whom he had succeeeded in 1797, was in his upright character and in his practice of public economy—a virtue that approached penuriousness in his private affairs. Narrow, pedantic, spare of words, embarrassed and suspicious in the presence of men of superior talents, keenly conscious at all times of his kingly prerogatives, obstinate rather than determined, he neither led nor willingly permitted others to lead. Had he been born in private life he would have made an admirable superintendent in the Lutheran church of his domains, an excellent officer for garrison duty, or a precise and painstaking writer and reader of bureaucratic reports. His talent for despotism did not rise much above the exercise of petty domestic tyrannies which found their origin in his own subjection to rules and routine.[1] A kindly fate had given him as his bride Louise of Mecklenburg, instinct with the joy of life and dowered with a wealth of lovable traits that disarmed criticism and made her subjects' love for her a synonym for loyalty to the throne.

The predecessors of Frederick William III had created in the seventeenth and eighteenth centuries a great administrative machine for the government of their scattered possessions—a complex development of the commission form of government in which the various commissions were selected by the king and were responsible to him alone. Chief of these commissions, for we may neglect the Privy Council of which it was nominally a subdivision, was the General Directory of War and Domain, founded in 1723 by

1 An excellent character sketch of Frederick William III is given in Meinecke, "Boyen," I, 206-209.

Frederick William I. Stein by his promotion became a member of this body. It consisted at this time of eight ministers under the presidency of Count Schunlenburg-Kehnert. Some of these ministers held portfolios which were designated according to the provinces over whose affairs they had direct control. Several others, *e.g.*, Stein himself, were ministers for special subjects for the whole kingdom with the exception of Silesia. Confusion and strife over questions of jurisdiction were inevitable, of course, under such an illogical division of duties. At their weekly meetings the General Directory found it impossible to consider any but the most general questions, and to each minister was left more and more the sole management of whatever he thought was his own business.

Foreign affairs were not represented in the General Directory but were directed by the king through another nominal subdivision of the Privy Council, the "cabinet ministry." This consisted of two, at one time earlier in the eighteenth century of three, ministers for foreign affairs frequently representing opposing policies. Under a strong king like Frederick the Great such an arrangement might serve some purpose, but under his weaker successors it could only mean confusion.[2]

All the shortcomings of this sadly outworn division of governmental functions were less significant and less a cause of complaint than the existence of an influential group of men with minor duties indicated by the titles of cabinet secretary and cabinet councillor. They were known as "the cabinet." In American political terminology they were a sort of "kitchen cabinet"—powerful because of their intimate relations

[2] The department of justice was still a third division.

with a weak king, and free from any responsibility corresponding to their influence. They, together with the king's adjutant general, had direct access to the presence of the sovereign. They prepared drafts and reports for him and wrote out dispatches for his signature. Through them and only through them did most of the real ministers make their reports to the king. All that was necessary was that they should be *personae gratae* to the sovereign, have a fluent command of French as the official language of diplomacy, and a superficial knowledge of the affairs which might pass through their hands. Frederick the Great, who had treated all ministers very much as though they were clerks, had kept free from the influence of such men. Frederick William II and Frederick William III, though having occasionally a good and upright cabinet secretary or councillor, as for example Bismarck's maternal grandfather, Mencken,[3] were much more often influenced by the sycophants and self-seekers who used the office to ingratiate themselves with the sovereign. Then, by reason of their influence and inability rather than by reason of any overweening ambition, they blocked any vigorous action or thorough-going reform either in internal or foreign affairs. A pliant minister who set much store on retaining his office, as in the case of Count Haugwitz, sought to stand well with the "kitchen cabinet" and thus prolong his official existence. All discriminating statesmen and friends of the monarchy recognized and deplored the actual and possible evils of the system.[4]

[3] Hüffer, "Anastasius Ludwig Mencken . . . und die Kabinetsregierung in Preussen." Bonn, 1891.

[4] *Cf.* Hüffer, "Die Kabinetsregierung in Preussen und Johann Wilhelm Lombard," Leipzig, 1891; Wittichen, "Das preussische Kabinett und Friederich von Gentz, eine Denkschrift aus dem Jahre 1800," *Historische Zeitschrift*, Vol. 89, pp. 239-273.

The problems with which Stein had to deal were the problems which confront any active minister in a military-bureaucratic state, where resources must be husbanded and administration watched that it does not become complicated, corrupt and inefficient. Fortunately for Stein the years of his apprenticeship which, by the wisdom of Heinitz and Frederick the Great, he had been allowed to spend in travel, had made him acquainted with the people and industries of nearly all the lands of his Prussian majesty.[5] The new minister took the earliest opportunity to renew and extend this acquaintanceship by journeys of inspection. By such means he informed himself first hand of the conditions and resources of the country. It goes without saying that he was indefatigable in gathering and reading the reports of his subordinates and the acts of his predecessors. Where administration has become a great codified system, preparation for officeholding and promotion in rank mean that the appointee must overcome mountains of carefully preserved official reports and decisions. Stein was no exception to this rule for success in a civil career. Though, like Bismarck, he often railed against the pedantry and red-tape of the Prussian bureaucracy, he studied ceaselessly the archives of the departments to which he was attached.[6] But in his hands the letter of the law which killeth when interpreted by the little mind became a living force. His more untrammeled mind and native independence saw meaning where the typical bureaucrat found only routine. Nothing in these two years, from 1804 to January

[5] With the characteristic zeal of the best administrators, we see the same methods exemplified in Vincke, whom Stein chose as his successor, as we have already seen them in Heinitz.

[6] For a comparison of Stein and Bismarck, see Neubauer in *Bismarck Jahrbuch*, VI, 243ff.

1806, better illustrates his desire for accurate information as a basis for official action than one of the last things he accomplished in this brief period, that is the establishment of a public bureau of statistics. He was attracted by the labors embodied in some statistics published privately by Leopold Krug and conceived the idea of making such a work as Krug's an annual public document brought up to date. His recommendations were promptly made, but they met with some official and some public opposition, for corporations and landholders at the opening of the nineteenth century were as reluctant as they are in our own day to reveal to government officials the extent of their resources. Stein's far-reaching plan was cut to meet this opposition, then adopted, and Krug and Beguelin were called to organize the new work, which in the course of the century was to develop into a model bureau of statistics. This remains one of the most permanent though one of the least noticed memorials of Stein's official activity.[1] Surely the University of Göttingen, which in Stein's student days was leading the way in the study of politics and public questions, may point with pride to this labor of its former pupil.

The bureau of statistics was only a by-product, for Stein was chiefly interested in more pressing and more important matters. These had to do, as has been indicated, with the increasing of the state's revenues and the quickening of commerce and industry, and with improvements in the administration of the various state managed or state supervised institutions under his department. This meant, to be more specific, the simpli-

[1] The Prussian state throughout the eighteenth century had been far in advance in the collection of statistics for the information of the king and his officials.

fication of the Prussian tariff system; a better administration of the salt monopoly and the bank; the improvement of roads and waterways and harbors; the stamping out of corruption and unnecessary routine in his departments, and the finding of means to support the war with which Prussia stood face to face in the fall of 1805. There will be occasion to show also how Stein, with all the irrepressible force of a man who fits no ordinary mould, reached out beyond the duties of the day to compass the larger tasks to which genius is called by the sign manual of a power greater than that of the kingdoms of this world.

Chronologically the first task with which he busied himself was the reform of the production and sale of salt, which in Prussia as elsewhere on the continent was a state monopoly. Inefficient administration to the point of positive mismanagement had depleted the returns and made Stein's superior, Count Schulenburg-Kehnert, characterize the salt department as an Augean stable for which it would be difficult to find the necessary Hercules. Briefly the situation which Stein found was as follows: The sale of salt brought the government an income estimated at about a half million thalers, part of which had been funded by Struensee, his predecessor, for the payment of state debts. Mismanagement and other evils had made the actual returns fall below the estimate. The supply of salt had been drawn for a long time from domestic resources and, as in the case of the hated *gabelle* in France, each person had been obliged to purchase a certain amount of salt. But these conditions had been changed by Struensee. The conscription had been abolished and that part of the supply of salt which went to the Polish and Baltic provinces was purchased from England. To manage

this purchase of the foreign product, Struensee had made a Prussian corporation hitherto doing business in English salt in Poland into a state institution, the so-called *Seehandlung*. The combination in this one department of this international mercantile enterprise with a domestic industry which required a technical knowledge of mining and chemistry had been to the disadvantage of both. Salaries were high and nepotism rife, especially in the *Seehandlung*. Salt prices varied in adjoining provinces and encouraged smuggling and official corruption.

Stein set a commission at work investigating the whole salt administration despite the opposition of officials who feared the trail might lead to their door. The report of the commission confirmed the need of the reforms which Stein had recommended. Most of these reforms were adopted after a delay which tried Stein's small stock of patience. His plan brought about a complete reorganization of the salt administration through the assignment of the work of production, distribution and sale of the salt to the bureaus technically qualified to perform the various tasks. To the mining department was assigned the supervision of domestic salt production, to the *Seehandlung* the purchase of foreign salt, and to the excise department the sale of the salt and the collection of the tax upon it. Stein's recommendation that the salt be sold at a uniform price was not carried out, although there were modifications in the numerous inequalities which compensated the public for the generally higher price which, with the savings in simplified administration, increased the returns to the state by half.[8] The angry swarming of the

[8] On the subject of the salt administration see Stein's report of Jan. 9, 1805, in Pertz, I, 508-540, and Lehmann, I, 319 ff.

nest of grafters and nepotists stirred up by Stein's vigorous measures was far less significant than the active but ineffectual opposition of his chief, Count Schulenburg, for whom Stein began to acquire a rapidly increasing contempt.

The Prussian Turgot, for the parallel between the French conditions and the Prussian and between the reforms of the two men can scarcely be avoided, now turned to the infinitely complicated subject of the Prussian tariff system. Here, as in France, there was a mixture of medieval survivals and of provincial separatism which defies description. There were three kinds of tariffs: (1) the *Binnenzölle,* or internal tariffs within some of the provincial boundaries, which were collected by districts or by cities or by feudal lords with rights surviving from the middle ages; (2) the *Landzölle,* collected at provincial boundaries; (3) the *Grenzzölle,* collected upon wares imported from foreign or non-Prussian lands. Everywhere there was lack of uniformity in the tariffs and in the methods of collection, and the whole complicated system had not even the justification of being financially profitable to the state, for it yielded all told scarcely 200,000 thalers.

It may be of some significance, at least historically, to repeat what becomes almost a formula in discussing the work of Stein between 1804 and 1808, namely that the evils were generally recognized and that reforms had been proposed and discussed ever since the death of Frederick the Great. It is much more important to point out that all propositions and discussions were without appreciable effect until Stein's vigor gave them body and soul. His proposal, which was approved by royal decree, abolished the provincial and internal taxes in the central provinces and promised a similar

revision later to the whole kingdom. A thorough-going reform in the whole matter of taxes and excises was not possible at that time, for Stein, who had nothing to do with direct taxes, was not in command of the situation. He was able, however, to make material improvements in the excise or consumption taxes in two provinces by limiting them to the main articles of consumption and by collecting them at the places of production, *i.e.*, the breweries, flour-mills and slaughter-houses, instead of from the individual families. He broke down, in part at least, the limitations which forbade the maintenance of certain industries in the country and prohibited others to the cities. The whole tax administration was simplified by making the tax districts correspond with the jurisdictions of the Chambers of War and Domain, of which the tax collecting bureau was made a department or *deputation.*

Considerable as was the advance represented by these changes in the tariff and excise administration, it must not be overlooked that the essential ones were confined in their operation to certain provinces, with the promise, express or implied, of making them statewide later. The time for such extension did not come during Stein's official activity, and so the labors of Motz and Maassen a dozen years later in framing the tariff law of 1818 which led to the *Zollverein,* dealt with conditions closely resembling those which faced Stein in 1805.

What Stein did to break down the barriers hampering trade was to be supplemented by his plans for improving highways and harbors, especially the harbor of Stettin, and by the interest he took in stimulating Prussian manufacturers, particularly those of woolen and linen goods. In his own autobiography, written

in 1819, he gives more space, however, to his improvements in the operations of the Prussian national bank which, with the *Seehandlung,* was the great financial institution of the state. Stein was not long in discovering that the bank officials were unfaithful to their trust both in the way they used the funds of the bank and the way they took advantage of their knowledge of its affairs to profit in private speculations. "I considered the bank a pernicious institution," he says in the autobiography. "It accumulated considerable sums of money whose application was intrusted to officials. It is true, they were forbidden to loan this out on realty [and allowed] to discount only goods, commercial paper, etc. The officials of their branch bank at Elbing had, however, recklessly loaned out money on lands in Prussian Poland, from which there rose afterwards serious complications with Napoleon and later with Russia. The other branches favored chiefly Jewish bankers, whose cunning, persistence, cohesion and want of a sense of honor when it was a matter of satisfying their avarice is injurious in any country and especially affects officials disadvantageously. I forbade the business in mortgages in South Prussia, recalled every two months the public funds, part of which had been outstanding for years. By so doing I discovered the gross dishonesty of a certain Jewish banker who was obliged to flee to Vienna, where he found protection." "The same reforms," he adds grimly, "brought one bank official to suicide," but he neither affirms nor denies the story that the discovered rogue hanged himself at Stein's own door. "At the same time," he continues, "I proposed a plan to limit the influx of ready money into the bank in order to favor more direct relation between the money owning class and those desiring it for industrial purposes."

Stein's chief service to the Prussian state in connection with his interest in the bank is one that he omits to mention. It was the calling of Niebuhr from Denmark to take charge of the bank. The name of Niebuhr is one so closely associated with the early years of the University of Berlin and the development of historical science that his career as a bureaucrat may be easily overlooked, but the biographer of Stein might well pause to mention the name of this true friend and capable financier.

Stein in his autobiographical survey of the activities outlined above concludes his account with the following words: "All this was partly nullified, partly destroyed by the great catastrophe and the misfortunes of war which fell upon the Prussian monarchy in consequence of an uncertain, hesitating political wisdom which reckoned only upon the momentary maintenance of external peace." These concise phrases indicate that we have reached a point where it is necessary to consider the policies and events here referred to, not because Stein's activity shaped or directed them, but because they gave a new course to his official and extra-official labors.

For ten years—since April, 1795—Prussia had been following a policy of neutrality, a policy advocated by the chief minister for foreign affairs, Count Haugwitz. This policy admirably suited Frederick William III's well known *penchant à l'immobilité*. It had many advantages but they were all material. Greater wealth stored in banks, increased commercial and industrial activity behind the shelter of the demarcation line, an indemnity out of all proportion to the loss of territory, were no adequate return to the state of Frederick the Great for the sacrifice of its political leader-

ship in Germany and of its position as a European power. The fault lay not so much in the policy as such but rather in the failure to shore it up by an embankment of bayonets. It had no sooner been arranged that Germany north of the Main should be neutralized under the protection of Prussia than the line of demarcation was violated by both France and Austria. The lines were narrowed, but the policy of defending them it was not made more determined despite the efforts of Count Haugwitz. Napoleon, following as in many other things the policy of the revolutionary government and the Directory, and one may add the Bourbons, sought a Prussian alliance or the subordination of Prussia to his larger plans against England and her continental allies. In 1800-1801 the vigor of the French Consul and the vagaries of Paul I of Russia had obliged Prussia to join the armed neutrality which was directed against England. Then, stormed at by the crazy Czar in his rear and lured on by Napoleon, Frederick William III had felt obliged to occupy the electorate of Hanover for a few months in 1801, thus violating the neutrality of one of the states supposedly under his protection behind the demarcation line. Escape from this awkward situation was made possible by the violent death of Paul at the hands of a court faction and by the negotiations which led, through the treaty of Amiens, to a brief truce between Napoleon and England (October 1801 to May 1803).[9]

It was between these dates that Napoleon undertook the reorganization of Germany through the policy of indemnification and secularization. Prussia's large reward, whose incorporation we have seen accomplished

[9] On this period of Prussian history see Ford, "Prussia and Hanover, 1795-1803. A Study in Neutrality," New York, 1903.

under Stein's direction, was not without ulterior motives on the part of Napoleon, but Frederick William was not to be bribed out of his neutrality. Step by step France was developing that policy outlined almost a decade before Tilsit by Siéyès and Talleyrand, when in 1798 they agreed that Prussia should be pushed back to the Elbe and an intermediate German confederation friendly to France should be formed between the Rhine and the Elbe. In 1803, on the renewal of hostilities between Napoleon and England, Prussia had not raised a hand when the French under Mortier had occupied the German electorate of George III and thus rendered the Prussian neutrality system a byword. The most earnest supplications had brought Frederick William to the declaration that only the death of a Prussian on Prussian soil at the hands of an invader would cause him to abandon his own neutrality. The decline of German confidence in Prussia, which had started after the treaty of Basel and was increased by the occupation of Hanover in 1801 and by the secularization of 1802, was now justified by the total abandonment of those neighboring states who had put themselves under her protection in a hegemony which had in it possibilities greater than that of the *Fürstenbund* of Frederick the Great. The words of a contemporary, the Prussian Major-General Tauentzien, give a picture of conditions: "The decline of Prussia [in public esteem] is terrible to contemplate. A true patriot might well weep tears of blood when he contrasts the present position of our Fatherland with what it once was."[10] That Frederick William III had sacrificed the last vestiges of Prussian leadership because he was not certain of Russia's support is an explanation accepted as suf-

[10] Bailleu, "Preussen und Frankreich," II, lxix, footnote.

ficient by most German historians, but it is only another way of admitting that since the death of Frederick the Great there had been no largely and consistently conceived independent Prussian policy. Without such a policy the rudderless state was rapidly approaching the crisis prophesied in 1782 by the greatest of the Hohenzollerns as coming within thirty years—a day when, if his successors ruled without vigor, their state and the dynasty might go down together.

But Frederick's genius had not enabled him to see the source of the coming danger—that it was to threaten from the Seine, not the Danube. With Napoleon's heel upon Hanover, in the very heart of its scattered dominions, the Prussian state writhed and twisted for two years. It sought to escape a French alliance which did not include Russia. It sought to ally itself with both that it might hold the balance and restrain the unmeasured dangers of any further development of French dominance on the continent. Such temporizing was in vain. Alexander was suspicious, Napoleon was arbitrary. All Europe was gradually being drawn into the war begun by the French invasion of Hanover in 1803. Pitt was forming his last great coalition. Russia and Austria drew to his side. Could Prussia, which had been sounding Alexander as to his action in case of a French-Prussian war, resist the pleadings and threats of the emissaries of the hostile camps? It could and did, for Frederick William III remained true to what he called his "passive system" until the fall of 1805. Then Russia, impatient at the Prussian dilatory and colorless policy, massed her troops on Prussia's eastern boundary with a threat that she would cross Prussian territory as the shortest route to the field of battle. Frederick William III re-

plied by mobilization against his eastern neighbor and told Alexander that any violation of Prussia's neutrality would mean war.[11] This was the situation when Stein, absent on one of his journeys of inspection, was hastily recalled and set the task of finding means for the threatened war, for the funds which Frederick had accumulated between 1763 and 1786 had faded away under his successors.[12]

Stein worked rapidly. Time was precious. The question was not a new one and there was at hand a large program proposed by Struensee in 1798 and 1799. Stein's report was ready in a few days. He rejected such expedients as debasing the coinage or stopping the funding for the public debt. He recommended the use of all the surpluses in the various *Cassen*, large loans to be made in Germany, certain new taxes upon beer, wine, and upon baking and butchering in the country districts. This was a blow at the old system of separating city and country by applying a special form of tax to each—a direct land tax upon the country where feudal nobles were strong and an increasingly heavier burden of excise or consumption taxes upon the cities. Stein's new taxes meant an important limitation of the existing rights of the nobles in many parts of the kingdom, for they still maintained the feudal monopoly in the very industries which Stein now proposed to tax. The issuance of paper money was his last expedient. His long memoir on this subject was a very thorough and statesmanlike discussion of a question which was relatively new, for Prussia had never resorted to paper money. Stein made his recommendation after consulting with leading bankers. He

[11] *Cf.* Bailleu, "Preussen und Frankreich," II, xlvii ff.

[12] Koser, in *Forschungen zur Brand.-Preuss. Geschichte*, Vol. 16, pt. 2.

thought that the depreciation might be prevented by the exercise of restraint as to the amount of paper money issued.[13]

The cabinet and Minister Schulenburg, to whom Stein's suggestions were submitted, accepted them but voted to recommend to the king an issue of 20,000,000 thalers of paper money. Later the General Directory also approved. But long before the king had brought himself (January 18, 1806) to sign the decree for the issue of five and one-half million thalers in redeemable paper money the whole foreign situation had changed.[14]

On October 3 a French corps under Bernadotte hastening southward from Hanover to help encircle the helpless Austrian army under General Mack in Ulm violated Prussian neutrality by crossing its Franconian provinces. To such an insult the Prussian monarchy could not tamely submit if it was to preserve even its own self-respect. The army which had been mobilizing in the northeast against Russia was faced about to resent this indignity on the Main, and Hanover, which had been vacated by the French, was occupied by a Prussian corps. Alexander, taking advantage of the change in sentiment at Berlin, came in person, October 25, to visit the Prussian sovereign and his queen.[15]

[13] His suggestion was that the issue be kept in a proper relation with the needs of circulation; 5,000,000 thalers in non-interest bearing treasury certificates was his estimate of the amount of paper money that might safely be issued.

[14] Stein cited Adam Smith (*cf.* Lehmann, I, 420) in reply to Smith's disciples, Kraus and Schön, who read him and his ideas more accurately than did Stein.

[15] Stein met Alexander for the first time. The Czar was much impressed and urged Stein to enter Russian service. Stein thought of accepting but finally declined. Krauel, in *Preussische Jahrbücher*, Vol. 137, 430.

Negotiations were begun which ended in the treaty of Potsdam, November 3, 1805. The oft described visit of the contracting sovereigns to the tomb of Frederick the Great that they might pledge their fealty to the new bond was but a melodramatic Alexandrian afterpiece. The serious things in history are the terms of the treaty and the steps taken to render it effective.

By the terms of the treaty Prussia was to demand of Napoleon what she had indicated but a few weeks before as the price of a possible alliance, *i.e.*, the French withdrawal from Italy, Switzerland, the separation of the French and Italian crowns, the evacuation of Germany, Switzerland, Holland and Naples and certain territorial concessions to Austria and Sardinia. In return Russia promised Prussia that she would, if war came by Napoleon's refusal, use her good offices with England to secure the usual subsidies and the cession of Hanover, for a long time the object of Prussia's unsatisfied territorial longings. As a possession of the English crown Hanover was, moreover, a constant menace to the peace and safety of Prussia. If within four weeks these terms, which meant pushing France back to her natural frontiers, had not been accepted, Prussia was to put 180,000 men in the field.

This ultimatum, if so strong a word may be used of a document signed by Frederick William III, who was at heart still hoping to preserve his neutrality, was entrusted to Count Haugwitz, of all Prussian statesmen the one most in sympathy with the king's secret desire for peace.[16] On November 14 Haugwitz left Berlin to seek Napoleon, then flushed with his easy triumph over the vain and stupid Mack at Ulm. Haugwitz had been

[16] Kieseritzky, "Die Sendung von Haugwitz nach Wien," a dissertation presented at Göttingen in 1896.

told by the Duke of Brunswick, commander of the Prussian army, that it would be well to delay the break with Napoleon at least until the middle of December, that time might be gained for the concentration of Prussia's scattered troops. From the king he had received at the last moment oral instructions to preserve peace with Napoleon at any cost.[17] The natural caution of Count Haugwitz was further increased by all he saw and heard as he advanced in a leisurely search for Napoleon, whom he did not meet until November 28. The delay was exactly what Napoleon wanted, for it was to his evident advantage to cut the coalition to ribbons before Prussia had been given time or occasion to join it. Haugwitz passed through the interview without letting his demands escape from his pocket; and there they remained, for when he was again summoned, on December 14, to face Napoleon he came into the presence of the victor of Austerlitz (December 2, 1805). The Third Coalition was in ruins. Austria was suing for peace. In such a situation there could be no thought of presenting to Napoleon the terms of the treaty of Potsdam. Instead, the Prussian envoy, impressed by the thought that indecision or refusal meant war, signed the treaty of Schönbrunn on December 15. By this much reviled instrument Prussia received Hanover from the hands of Napoleon in return for the cession of Neufchatel and her Franconian possessions. To Napoleon this meant an alliance, to the Prussian statesmen it was only the acquisition of a territory as vital to Prussian peace and safety as was the incorporation of Scotland to England. The Prussian ship of state

[17] *Cf.* Lehmann in *Göttinger Gel. Anzeigen*, 1896, p. 86 *et seq.* See also Hüffer in *Deutsche Zeitschrift für Geschichtswissenschaft*, 1891.

was now afloat on the uncharted seas of Napoleon's boundless ambition. When Haugwitz was sent to Paris early in 1806 to secure such modifications of Schönbrunn as would postpone its settlements until the restoration of peace, he was reproached by Napoleon with Prussian ingratitude and told the treaty, being unratified, no longer existed. A new agreement, a real alliance, was laid before him. What could he do but sign? Germany was overrun by French troops, the Prussian army had been partially demobilized in January, and Frederick William III was without allies. To the terms of Schönbrunn, the treaty of Paris, February 15, 1806, added the obligation of Prussian participation in the Napoleonic war against England.

Let us finish the story, for Jena is in sight, and the approach of the inevitable is short when seen through the eyes of historical retrospection. Through the spring and summer of 1806 Prussia was pricked on to her fate by the discomforts of the wars with England and Sweden, by the line of Napoleonic corps in Germany whose strategic disposition was an unexpressed threat, and by the organization of Napoleonic vassal states into the Rhine Confederation, a body whose membership brought Napoleon's power into North Germany to the very gates of Prussia. The humiliation of Austria and the end of the Holy Roman Empire of the German People (August, 1806) left Prussia the privilege of Polyphemus's cave—that of being devoured last. The aggressions of Murat, the new Duke of Cleves and Berg and the brother-in-law of Napoleon, had led Frederick William III as early as July, 1806, to consider the advisability of military preparations. The movements of the French troops in the early days of August increased the uneasiness. On the night of

August 5-6 news came from the Prussian envoy in Paris that Napoleon had offered Hanover to England. On August 9 the orders to mobilize went forth from Berlin. The die was cast. Without Austria, and without hope of Austrian help, at war with England and Sweden, and with the slow-moving Russian troops far from the scene of battle, Prussia plunged into a struggle which she had refused a year before when the unbroken Third Coalition extended its hand to her. Alone and unaided she met Napoleon upon the double battlefield of Jena and Auerstädt, October 14, 1806. It may have taken real genius to lose the battle, but Prussia was rich in the plenitude of such genius not only in its army but in its diplomacy and its administration. With the collapse of the army disappeared,—so said many a contemporary, and the echo of the opinion is still heard —the last of the Frederickian state. They may be right, if institutions were the sole heritage of Prussia from its great king; and in no line here written is there any intent to diminish the importance of the military disaster as the decisive event which forced the serious consideration of thorough-going reforms. But they do not read aright the history of the nineteenth century who forget its debt to the eighteenth for its ideals, and thus fail to see that the newer Prussia was builded on the widened foundations of the old by the men who had been drawn into its service by the magic of Frederick's name and fame—living or dead. He and his age had truly builded better than they knew. The days of trial had come. The times called loudly for men. The roll-call of those who responded is filled with the names of non-Prussians who in youth had enlisted in the Frederickian army and state. For one scant decade it was their work to fuse the harsh mili-

tary bureaucratic state with the nobler aspirations of Germany for freedom and nationality. Only such a disaster as Jena, only such oppression as Napoleon's, could have swept away the charlatans so completely, and humbled king and people alike while firing their hearts with the hope that they might be the protectors of their own liberties against a foreign oppressor.

Stein's prescribed part in these years had little to do with the foreign policy.[18] Though a minister dealing with finance and internal affairs, which would be tremendously affected by a possible war, he had no part in the conferences on the treaty of Potsdam, the sending of Haugwitz, or the treaty of Paris. He felt strongly that war was unavoidable and expected little from Haugwitz or his mission. His prayer,—"God grant," he wrote Hardenberg, the chief cabinet minister," that we act with vigor at this time of crisis,"—found no answer in such a treaty as Schönbrunn. The vials of his wrath were poured out first on Austria and then on Haugwitz. "I have replied [to Beyme]," he tells Hardenberg, "that such conduct was cowardly, double-tongued and culpable, and that it only confirmed me in the profound contempt with which this despicable sycophant has always inspired me. The cowardliness of his behavior is shown by his not daring even to present the terms of peace of which he was the bearer, and that he accepted terms which would hamper an allied army in the North. He revealed his perfidy when he did not attempt to confer with the allies, and he neither tried to discuss matters with Stadion [the Austrian minister] nor sought to get into communication with the two imperial courts of Russia and Austria. It seems to me one ought to recall such creatures,

[18] See however Krauel in *Preussische Jahrbücher*, Vol. 137, pp. 429-457.

as despicable as they are perfidious, retire them to their estates, and begin the war by advancing into Bohemia and marching on the Danube."

Nevertheless Stein has left us, in a letter to Vincke, his successor in the Westphalian provinces, a very vigorous defense of what was the essential feature of the treaty negotiated by the "perfidious" Haugwitz, *i.e.*, the acceptance from Napoleon of Hanover, the German electorate of George III of England, from whom Prussia was at that very moment seeking subsidies. Perhaps, as has been suggested, Stein's defense was the stronger because it was a reply to a subordinate who had a Stein-like style in expressing his opinions of men and measures.[19] More evidently it was the opinion shared by Stein with the leading Prussians of his day and since—that Hanover should fall "to some neighboring power which was in a position to defend it." Poor as the method of obtaining it was, and that Stein never condoned, its possession was essential to the Prussian state, and Stein's letter in apology and defense sounds a higher note than his contemporaries. It confesses the weakness of the king, for none other can be meant when he says: "Had a great moral and intellectual power guided our state it would have joined the coalition for the purpose of freeing Europe from French dominance and then sought to reconstruct it, before it suffered the blow at Austerlitz. This power was lacking. I cannot reproach those to whom nature denied it any more than they can reproach me for not being a Newton. I recognize in this the will of Providence; there is nothing left but faith and resignation. . . . Granted but not conceded [as a

[19] Vincke's sentiments and language were probably the same as he used in his day-book. *Cf.* Bodelschwingh, "Vincke," I, 272, 275.

right] that your anger has a basis, does that justify your discontent and indifference? Has the Prussian monarchy no interest for you but in your personal attitude toward its rulers? In what relation does this state stand to Germany, to European civilization? Is its existence a matter of indifference, is it injurious to mankind's ennoblement? What a contrast our constant complaining about our government makes beside the devotion of the Austrian to a monarch who began war inconsiderately and has ended it cravenly." Is there not in these sentences a world of self-revelation? Is it not clearly the voice of the young imperial knight who had turned to Prussia because she seemed to be best serving the cause of Germany? Is it not the same note that we hear in the man who in maturer years accepted the call from a provincial to a national office because he might thus better serve Germany? Is it not indeed the voice of eighteenth century cosmopolitanism tempered by a new note that was to mean intenser nationalism in the nineteenth century?

It naturally fell to Stein to supervise the incorporation of the new territory into the monarchy. The Prussian occupation of Hanover in 1806 was very brief—a matter of only a few months—but in every act emanating from Stein he gave evidence of a more statesmanlike view of the problems than had been manifested by Struensee in the matter of the Polish acquisitions. Boundary tariffs and boundary lines fell and Hanover, so far as it was possible in the time allowed, was made a real province of the monarchy, not a mere accretion to the lands of his majesty, the King of Prussia. For Stein no task was mere routine and following of precedents.

This biography has so far been written in vain if it

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has not made clear that Stein, wherever situated, labored for better things, always judging measures by high national and ethical standards. Reformers are not made in a single day. Their preparation is after "that inexorable law of human souls, that we prepare ourselves for sudden deeds by the reiterated choice of good or evil that determines character." Even as a minister of finance in the years 1805-1806, Stein in the technical duties of his office was more than a bureaucrat and wider in his outlook than the day's tasks, matching the growth of his measures with the growth of his opportunities. He gave proof of this quality in one of the most striking of his extra-official acts, the preparation of a "Memorandum on the deficiencies in the Organization of the Cabinet and the Necessity of Forming a Ministerial Conference." It bears the date of April 27, 1806. Stein, who had condemned Haugwitz and the treaty of Schönbrunn, but defended the Prussian annexation of Hanover, who had reproved Vincke for his discontented and critical attitude toward the government he served, now lays bare to the sovereign the chief weakness of the monarchy in language that has no trace of the pietistic submission to the will of Providence shown in the letter to Vincke.

One might say truly a very human, because a very inconsistent, man! But things had been going from bad to worse since Schönbrunn in the preceding December. The treaty of Paris in February, 1806, had involved Prussia in hostilities with England, her old ally, in behalf of Napoleon, her former enemy. The Prussian army had been again largely restored to a peace footing. Prussia had no navy to defend her commerce against the English blockade. Her manufactures were on the way to ruin if Napoleon did not

permit some concessions to England, commerce was at a standstill, and the reward was Napoleonic aggression through Murat's seizure of certain Prussian mines and lands near the new Duchy of Berg. All these matters had been canvassed by a group of the king's ministers on April 25 at a session which Stein, indignant at the possibilities of war with England, forced Haugwitz to call. A convenient illness prevented Haugwitz, now in charge of foreign affairs, from attending and thus coming face to face with Stein. The ministers present agreed that the king must be besought to attempt some understanding with the English[20] if the state was to be saved from destruction. What they thought about the means by which a happier policy might be inaugurated we do not know, except as we permit ourselves to surmise that Stein's memorandum grew out of the facts and sentiments brought home to him more sharply than ever by his conference with his anxious and earnest colleagues.

It is Stein, however, who alone put pen to paper two days after the conference.[21] The opening sentences of his memorandum show that it was intended for the king's eyes in some form, Seeley to the contrary notwithstanding. Stein starts with a definition of duty in

[20] *Cf.* the excellent article by Krauel in *Preuss. Jahrbücher*, Vol. 137, 427-57. The failure of Haugwitz and the cabinet to tell Stein as minister of finance and commerce of Article 4 of the treaty of Paris explains his attack at this time on the lack of unity in the government. Stein, more accurately than Haugwitz, knew what England would do in reply to Article 4, which called for a blockade against English commerce.

[21] His memorandum occupies eight large octavo pages in Hardenberg's "Denkwürdigkeiten," a better copy than that in Pertz. Important as the document is, I can therefore only summarize and refer the interested reader to these sources or to the partial translation in Seeley's "Life and Times of Stein." Seeley gives the impression that his translation is complete.

high official life which is aimed at Haugwitz and his associates. The statesman is obligated in such a crisis not only to investigate the conditions which have brought the nation where its wealth, independence and former renown are threatened, but, he points out, should go farther and seek to remove the causes of national decline. "Not to do this is just as reprehensible as betrayal of the cause of the nogle and the good; the results are the same, a neglect of the duty to sacrifice self for their cause."

Prussia is a state without a political constitution, for "the supreme power is not divided between the sovereign and the representatives of the nation." It is therefore all the more important that its governmental constitution should be formed according to correct principles. He then outlines the central government—the Privy Council at the center but now relegated to the performance of minor functions, through the four active elements: the military officials, the cabinet ministry (for foreign affairs) the General Directory, and the ministry of justice—Silesia being independent in matters of finance and police. There follows a sketch of the methods by which the Prussian sovereigns had ruled in the past century. Into the controversy over the historical accuracy of this survey it is fortunately not necessary to enter here. Suffice it to say that it is near enough to the facts to make it a good argument, and Stein was drawing an indictment and not writing history. It was the sort of document with which American statesmen of the pre-revolutionary period have made us familiar. Frederick William II reigned under the influence of a favorite and of his male and female associates. The regular ministers, instead of uniting to oppose this cabal, "bowed supinely before the false

idol." "Frederick William III reigns under the influence of his Cabinet and of the Cabinet Minister Count Haugwitz, who is affiliated with and dependent upon it, and of his friend General Köckritz. With these the sovereign considers, advises and decides; his ministers make proposals and execute the decisions of this Cabinet. It is a new arrangement [Stein's words are not an exact history of the Cabinet], it has all the power while the real ministers have all the responsibility for the measures and their execution. They stand as buffers between public opinion and the Cabinet. Ministerial unity is gone because it was useless if everything depended on the Cabinet. The ministers work in dependence on insolent subalterns, with a feeling of shame and dishonor and a gradually dulling sense of duty. Discipline is destroyed in departments whose heads are known to be powerless. The king lives in complete separation from his ministers, for matters are presented only by the one favorite member of the Cabinet and the result is onesidedness and superficiality in the decisions of the sovereign."

With a feint at fairness which decoys opposition into a position where it has no defense against the most powerful blows, Stein then suggests that the faults of the Cabinet as an institution might be covered by the efficiency of its personnel. This is the introduction to a scathing and unmeasured denunciation of Beyme, who had recommended Stein's promotion to his present position, of Lombard and of Haugwitz and Köckritz, the four men nearest to Frederick William III. They are spitted one by one and burned and shriveled over the flames of Stein's volcanic wrath. Arrogance, dogmatism, ignorance, physical and moral enfeeblement, shallowness, idleness, brutal sensuality, treacherous be-

trayal, shameless lying, narrow-mindedness and mischievous gossiping, even "the vulgar presumption of a wife" are but samples of the terms in which Stein seeks to express his opinion of his sovereign's influential associates.

More reasoned and justifiable in his demand that they must be swept away and a direct relation established between the sovereign and his chief administrators. Stein's plan leads to a reorganization of the ministry into five logical departments—of war, interior, foreign affairs, finance and justice. Unity is to be restored through the rehabilitation of the Privy Council. The present Cabinet[22] and councillors are to be dismissed and their successors reduced to secretarial rank. "The recent events, when we saw solemnly ratified treaties evaded in the moment of fulfillment and soon afterwards reversed, are a fearfully instructive example confirming the principle that it is necessary to change persons if one would alter measures." Stein suggests, as the only means by which this may be brought about, a union of distinguished officials who shall lay the necessity of change before the king with the threat of resignation if it is not made. "I am ready for participation in such a measure." "If his Royal Majesty will not agree to the suggested change, if he persists in ruling under the influence of a Cabinet deficient in its organization and condemned in its personnel, it is to be expected that the state will either be dissolved or lose its independence, and the love and respect of its subjects will fail it completely. The causes and the men who have brought us to the brink of the abyss will fairly push us in. They will create condi-

[22] The Prussian application of the word cabinet must be kept in mind. See pp. 80-81.

tions and circumstances where there is nothing left for the upright official but to abandon his post, covered with unmerited shame, without being able to help or to take part against the wickedness that will ensue."

This memorandum of Stein's may not be historical in its treatment of men and institutions—indeed, it is not—but seen in the perspective of Prussian history in the last century it must be assigned a unique position. Mirabeau in 1786 had offered Frederick William II an unsolicited program of reform which had been passed unheeded; Wöllner, powerful in domestic matters, had advised the same sovereign against the policy of a French war, and had been sent about his business. In Stein's letter we have a Prussian official demanding of his sovereign a thorough-going reform at the top, one which would have affected the administrative machinery and diplomatic policy of the state. It asked the sovereign to consider his state and nation apart from himself and his own predilections for agreeable advisers and do-nothing policies. It talked expositorily at least of constitutional governments with national representation and designated Prussia as a loose aggregate of territorial accretions. It alluded repeatedly to public opinion as a force to which the responsible ministers had to account for the acts of an irresponsible cabinet. It demanded ministers who headed departments with national and not provincial scope. It indicated the writer's willingness to join a group, a party which would seek to bring the sovereign to the line of action proposed. Truly, this in Prussia of the Hohenzollerns was not rebellion but revolution.

Stein had chosen a seemingly opportune moment for his terrific indictment of the Cabinet and the double-headed ministry for foreign affairs. Public opinion

was thoroughly aroused. The deeps of national feeling were flooding the shallow runways of eighteenth century political cosmopolitanism. "I must confess, to the honor of public opinion," wrote the Swedish envoy a few weeks after Haugwitz returned with the treaty of Paris, "that so long as I have known Prussia, I have never seen national feeling so deeply humiliated as it is at this moment." Police protection alone prevented the Berlin populace from continuing the attacks on the residence of the unfortunate Haugwitz. His rival, Hardenberg, was cheered by the regiments marching through the city. Lombard and Beyme and the French officers and envoys were socially ostracized. The king's own brothers and cousins, many of his officials and generals and scholars, like Alexander von Humboldt and Johannes von Müller, formed a party of opposition. Queen Louise was loyal to her husband, but her sympathies were against his advisers and his policy. Though Frederick William III wept over the loss of Ansbach, his eyes were opened to the ruthlessness of the Corsican's dealings with Prussia. He talked of putting a bullet through his own head, of the treachery of his advisers and of his willingness to remove them if he had proofs of their treachery.

The occasion seemed auspicious; but not for a communication phrased in such untempered language as Stein's. General Rüchel, a bluff old soldier, was asked to present it to the king. He temporized. Stein then laid it before the queen (May 10, 1806). Its sentiments met her "heartiest approval," but it was "too violent and passionate," it would "do more harm than good."[28] Stein modified it, especially in the passages relating to the king's adjutant, Köckritz, and wrote a letter in

[28] Bailleu, "Königin Luise," pp. 173-175.

which he pledged himself to refuse all personal advantages or advancement that might come to him if the king acted upon its suggestions. Hardenberg, to whom both drafts were shown, advised against their submissio and the king never saw the letter.[24]

But the movement to break the power of the men who were held responsible for bringing Prussia "to the brink of the abyss" did not stop. Hardenberg took up the matter and besought Queen Louise for her ideas as to the best means by which the king might be enlightened as to the true situation. The queen favored a round-robin letter signed by men of importance, especially in the army, and by Haugwitz, whom she would seek to win over. The suggestion of the latter's name caused Hardenberg to drop the matter. But it would not down. In the latter part of August, when the Prussian regiments were gathering for the Jena campaign, Johannes von Müller drafted a respectful request that Haugwitz, Lombard and Beyme be dismissed.[25] It was signed by the princes of the royal family, the most active among them being Stein's protegé of earlier days, Prince Louis Ferdinand, and by other important officials, including of course Stein. The king's high sense of his prerogatives, and his inability to make quick readjustments even when made evident to him by keener minds, led him to reprimand the sign-

[24] Stein further criticized the commercial results of the foreign policy in a memoir to the king, May 28, 1806, published in *Hist. Zeit.*, Vol. 102, 556. Haugwitz was indignant that a minister of commerce and commercial organization should criticize foreign policy. *Preuss. Jahrbücher*, Vol. 137, 452, note.

[25] On August 15, General Rüchel had urged the king to discharge Haugwitz and Lombard and appoint Stein as minister of interior. Hardenberg agreed but thought that Stein, "an honest, penetrating and worthy man," was "too trenchant" for daily intercourse with the king. *Preussische Jahrbücher*, Vol. 137, 454.

ers for misleading public opinion and stirring up distrust. Stein was given a special reproof, and the princes ordered to their posts with the army. The brave and brilliant Prince Louis Ferdinand was denied a farewell interview with either the king or queen. A few weeks later he met a soldier's death at Saalfeld.

More sober duties crowded upon Stein in the critical months of 1806, the history of which has already been outlined. The financial preparations for a possible war in 1805 were renewed in the face of the actual crisis now facing the state. Paper money, subsidies (England was being asked for subsidies while Prussia was still at war with her), loans and new taxes are the topics with which Stein's reports are filled. Open-minded to every tried expedient that would make the whole nation, regardless of class privileges, a participant in its own defense, he proposed the introduction of an income tax somewhat after the English model. While the matter was under consideration with every prospect of adoption news came of the battles of Jena and Auerstädt, October 14. On October 23, Napoleon occupied Berlin.

The intervening days and the weeks immediately following Napoleon's triumph gave a greater evidence of the weakness of the monarchy than the overwhelming defeat on the battlefield. Posts were abandoned, fortresses filled with supplies and munitions of war were surrendered without an attempt at defense. The evidences of life amid the ruins were hidden for the moment. Archenholz, one of the keenest publicists of the day, himself a former Prussian soldier, issued from the press of Hamburg his famous little pamphlet, "Observations of a German at the Grave of the Prussian Monarchy." Prussia had risen at the beginning

of the century, it had fallen at its close as suddenly and completely as though struck by a magic wand—*fuimus Troes, fuit Ilium.* But wiser than the publicist was the poet who remembered that Blücher still wore a Prussian sword, that Scharnhorst was at his side, that Hardenberg stood ready to replace Haugwitz, that Stein still labored for his chosen land. Truer than all pamphleteers were the words of the philosopher—it is Fichte in his "Addresses to the German Nation"—who spoke in the words of the Hebrew prophet comforting the prisoners by the waters of Cheber (Ezekiel 37:1-10): 'Though the elements of our higher intellectual life may be as withered as the bones of the dead in the prophet's vision, and the bonds of our national unity as torn and scattered and broken; though they may have bleached and dried in the storms and rains and burning suns of several centuries, yet the reanimating breath of the spirit world has not ceased to inspire. It will yet raise the dead bones of our national body and join them bone to bone so that they shall stand forth grandly with a new life." One other sentence from these addresses, delivered in 1807—"the first public protest against Napoleonic domination"—is so clearly the key to the spirit in which Stein was acting in the critical days of October, 1806, that I cannot refrain from quoting it in all the gripping power of the original German: "Kein Mensch, kein Gott, keines von allen in dem Gebiet der Möglichkeit liegenden Ereignissen uns helfen kann, sondern dass allein wir selbst uns helfen müssen, falls uns geholfen werden soll."

By the king's orders it was left to each minister "to do those things he thought necessary in his own department." While men like Schulenburg stood supinely aside and let Napoleon capture the military

supplies at Berlin, Stein, though seriously ill, saw to it that all funds in his charge were safely rescued. By this act he made it possible to continue the war into 1807. Then he made his way to Stettin, the newly appointed capital. In a few days the advance of the French made this post untenable and Stein fell back to Danzig. The king besought Napoleon for an armistice. It was offered on the hard terms of a complete victor. The Prussian negotiators accepted. Then Napoleon added to his previous demands the provision that Prussia was to join him against Russia in a defense of Turkey's integrity. Should Prussia accept and turn the remnant of her army against the one friend whose troops were moving forward to her support?

A conference of ministers and generals was held at Graudenz on November 6, 1806. Stein was present. Haugwitz led the movement for a modified acceptance, excluding hostilities against Russia but not Prussia's ultimate membership in the Rhine Confederation. Schulenburg supported him. Strange as it may seem, unless we presuppose that Stein's health prevented his active participation, we are told that their views were unanimously approved.

But new triumphs by the French led Napoleon to propose even harsher terms for the armistice than those considered at Graudenz—to the demand for the left bank of the Elbe except Magdeburg and the Mark, and a heavy indemnity, was added Silesia and Prussian Poland in large part, eight still unsurrendered Prussian fortresses, and the withdrawal of the Russians. The weak Prussian negotiators signed. A new conference was called at Osterode, November 21, 1806. Upon its decision hung the fate of the Prussian mon-

archy. Eleven participated in the conference. Four headed by Stein denounced the terms and the negotiators. Voss, Beyme, and Köckritz were with him. The king decided for the minority opinion. The terms were rejected.[26] Lombard henceforth lost all influence, and the party of action had triumphed. Haugwitz fell, never to return to power or place. Prussia again became a moral if not a military force.

Stein was now in the ascendant. The king distinguished him with evidences of his royal favor. Seemingly this chapter may close with new triumphs in sight, statesman and sovereign at one. Let us seek to understand how it could be that within six weeks Stein returned to his estates in Nassau—dismissed without honor.

On November 20—the day before the Osterode conference—the king offered Stein, whom Beyme declared "the man chosen of God to save the Fatherland,"[27] the ministry of foreign affairs. It was declined on the plea of the want of the necessary training and experience for such a post. The offer was renewed on the 29th and again declined. But this time Stein—too ill to reply by his own hand—had Niebuhr draft an answer in which in a milder form he presented the ideas of the memorandum of April 27. His further suggestion was that Hardenberg be given the proffered post. Hereupon the king fell back upon the idea of the formation of a select ministerial council of three, the king to retain a cabinet councillor who should direct the discussions of the council. As an earnest of his intentions

[26] On hearing of this Napoleon drafted a proclamation declaring that the House of Hohenzollern, like that of Naples, had ceased to reign. It was never issued. *Cf.* Fournier, "Napoleon" (Bourne's translation), p. 363.

[27] *Preuss. Jahrbücher*, Vol. 137, 457.

he offered Hardenberg the post of minister of foreign affairs. Hardenberg, after conferring with Stein (December 14), refused in a memorial signed also by Stein and Rüchel. He could not agree to leave a cabinet councillor—it would be Beyme of course—in such a powerful position. At this moment the king was pressed from two sides: the Czar Alexander would not deal with him if he retained his old advisers; Napoleon would deal more harshly with him if he appointed Hardenberg, whose opposition to the Corsican was too well known. The king persisted in his idea of the council, even defining the powers of the cabinet councillor in stronger terms but leaving Hardenberg out of the triumvirate. Stein would have none of it. He wrote Hardenberg, "I shall remain firm; no cabinet, no influence of subalterns, no council without you." To Schulenburg, who approached him for the king, he laid down certain conditions: Hardenberg, the positive dismissal of Haugwitz, Lombard and Beyme, a policy in agreement with the ideas urged by himself and Hardenberg. Neither Schulenburg nor Köckritz, to whom he turned over the task of telling the king, dared put the name of Beyme among those marked by Stein for dismissal. The king proceeded to organize his council, appointing Zastrow, who had been one of the negotiators so recently overawed by Napoleon and was known of old as a defender of the neutrality system, as minister of foreign affairs; the others were General Rüchel, who had approved the views of Stein and Hardenberg, and Stein himself. Beyme was named as cabinet councillor to present to the council such matters as the king held important enough to come before it. Despite the personal solicitation of his two new colleagues Stein again expressed his dissent—to Rüchel

but not to the king directly. He would continue to perform the duties of minister of interior and finance, but not under the delusion that there existed any real ministerial council. Frederick William proceeded to act despite Rüchel's report of Stein's position as though the latter were in his new office. He referred to Stein the question of keeping up payments from the bank's funds for the entertainment of Napoleon in the royal castle at Berlin. Stein indicated his disapproval of the whole affair in vigorous marginal comments; but this was not the form prescribed for considering business by members of the new council. The document was returned to Stein for proper consideration with the other ministerial councillor most concerned. Stein would not act.

A few days' delay ensued as the court was preparing to leave Königsberg for the last safe outpost of the monarchy at Memel. Stein, though ill and anxious about his sick child, was counting upon accompanying the court, when on the evening of January 3, 1807, he received the following letter from his sovereign:

"I had formerly prejudices against you. I always indeed looked on you as an active-minded, talented man, capable of great conceptions; but I thought you at the same time to have the eccentricities of genius, in one word, to be a man who, considering his own always as the only true opinion, was not suited for a practical post where there are continually points of contact which would soon disturb your temper. These prejudices I overcame, as I have always striven not to choose the public servants from personal liking, but on serious grounds. And here it is a most unaccountable thing that the very persons whom you now attack and want to overthrow are those who were then your most power-

ful advocates, and I yielded. You succeeded the deceased Struensee. I soon convinced myself that the conduct of your department was exemplary. I began to think of bringing you nearer to myself in order in due time to give you a greater sphere of action. An ironical sally about the proceedings of the last summer, improper in a ministerial report, drew upon you a deserved reproof from me. You made no reply—Was it from a conviction that you were wrong? I waive that question. Not long after, I saw your name at the bottom of a paper signed by several, which on account of its singular form I choose to pass over in complete silence. In spite of all this, I continued to treat you with confidence and receive your advice on all principal affairs. Your judgment was always that of an acute understanding. Accordingly I thought of ways to bring you nearer to the most important points of the machine of state, and for this reason committed to you the portfolio of foreign affairs to hold at least *ad interim*. You refused to accept this honourable post in a bombastic essay; chiefly on the pretext of your want of information in this department. Although this refusal at that time could not but embarrass me much, still I admitted your reasons, and in order to meet your views still more in respect of an improved method in the conduct of public business I issued the order of December 17th [19th?] of last year, which I presume to be known to you. I say, 'I presume,' since your persistent silence, which at first I laid to the account of the state of your health, must otherwise remain completely inexplicable. I cannot possibly attribute your silence to mere defiance or disobedience to my commands, for in that case I should have to provide you with a suitable lodging. I am indeed well aware in what an insolent manner

you have expressed yourself orally and in writing in the presence of Generals Rüchel, von Zastrow, and von Köckritz, and that just now you have twice refused to report on an affair which was sent to me by yourself, and accordingly was plainly to be regarded as belonging to your department.

"From all this I have been forced, to my great regret, to admit that unfortunately I was not mistaken in you at the beginning, but that you are to be regarded as a refractory, insolent, obstinate and disobedient official, who, proud of his genius and talents, far from regarding the good of the State, guided purely by caprice, acts from passion and from personal hatred and rancour. Such officials, however, are just those whose conduct works most prejudicially and dangerously upon the coherence of the whole. I am really sorry that you have reduced me to the necessity of speaking to you so clearly and plainly. However, as you give yourself out for a lover of truth, I have told you my opinion in good German, and I must add that if you are not disposed to alter your disrespectful and indecorous behaviour the State will not be able to reckon much on your future services.[28]

"Friedrich Wilhelm.

"Königsberg, Jan. 3, 1807."

Frederick William III had spoken in the language used by the great Hohenzollerns of the eighteenth century. Stein's replies were in the tones his ancestors might have used to the counts of Nassau. It was sovereign to sovereign. The head of a great absolute dynasty was still dismissing his recalcitrant public servants; the free imperial knight, an unconscious tribune of the people, was still a sovereign who knew

[28] Translation from Seeley, I, 304-305 (Cambridge edition).

no superior but his conscience and his Emperor and stood now for a definite attempt to limit the king's absolutism. Hardenberg wrote of the unfortunate incident: "Both parties were wrong; the king in refusing to listen to the voice of truth raised so often and from all sides, and in writing in such harsh language to a meritorious man; the minister in not using gentler and more respectful forms towards his master.'"

Stein in bitterness of spirit made his way slowly back to Nassau. "I expect nothing," he wrote to Niebuhr, "from the ingredients of the court at Memel—it is a soulless, meaningless combination, capable of nothing but corrupt fermentation. If they ever want me again I shall demand a guarantee against unworthy treatment, and assume that the supreme direction of affairs is to be placed in the hands of intelligent, reasonable, and estimable persons. Herr von Hardenberg seems still to look for a favorable turn: I admire his patience and hope that it may be well grounded, but for myself I look for nothing from empty, slow, flat people."

The phrase "if they ever want me again," must strike even the casual reader. Stein was now more conscious than ever that his fate, if he was to serve Germany, was linked with that of Prussia. The events of 1806 which had swept away the old Empire and seen the formation of the Rhine Confederation had brought to an end Stein's own independent position, for part of the constitution of the new league granted to the allied German princes the sovereignty over the lands of the imperial knights. The dukes of Nassau had immediately taken possession of Stein's own estates. Stein had refused Russian service. There remained to him no future outside Prussia.



CHAPTER V

Stein's Second Ministry

Stein's own account of the next few months will serve with brief annotations to bring us, as it did him, to the great year of his life. It has the double advantage of its personal character and of its brevity. The translation which follows begins after the account of his dismissal in January, 1807:

"This dismissal made a bad impression on the public, all the ministers gave me evidence of their sympathy and I remained ill in Königsberg until after the battle of Eylau,[1] when the communications with Danzig were restored. I left with my family for that city in March [February], 1807; but as it was threatened with siege I did not stay there long, but amid many dangers .... from the skirmishes between the troops continued my journey and reached Berlin. Here I found every one much aroused by the battle of Eylau and all were full of hope that they would be freed from the enemy. Governor-General Clarke[2] was much disturbed by my arrival until he learned my intention of retiring to my estates in Nassau and then he treated me very amiably.

"I reached Nassau at the end of March and sought to restore my health, now much broken by continuous attacks of gout—that is, so far as this was possible in view of my sympathy for the fate of my unfortunate

[1] February 8, 1807.

[2] French commandant in Berlin. *Cf.* his report to Napoleon of interviews with Stein. Cavaignac, "La Formation de la Prusse Contemporaine," I, 489-490.

Fatherland, the uncertain success of the war and my profound indignation at the mediatization of my estates. I occupied myself with arranging and writing out the results of my experiences touching the formation of a suitable administration.[3]

"Meanwhile the war was actively continued; there followed the battle of Friedland[4] and the peace of Tilsit. When I learned of this I became very ill. I was excessively weakened by a very violent attack of tertian fever when, in August, 1807, two orderlies arrived, one having come from Memel by way of Vienna and the other via Hamburg. They brought letters from minister von Hardenberg which informed me that Napoleon had insisted firmly upon his dismissal, and when the king said that he could not dispense with such an experienced administrator, had replied that he could replace him by Count Schulenburg-Kuhnert or me. I learned later that General Clarke had expressed very favorable opinions of me in his letters to Napoleon. Count Schulenburg had refused the offer of the post and had entered Westphalian (French) service as a councillor.

"Herr von Hardenberg requested me in the name of the king to enter the service again. The Princess Louise expressed the same wish in a very complimentary letter. In my reply, which on account of my continued weakness I dictated to my wife and was only able to sign, I declared myself ready to accept without any conditions. At the beginning of August, 1807, I set out for Memel.

[3] *Cf. infra.* pp. 224 ff.

[4] June 14, 1807. Stein here passes over the negotiations to enter Russian service. Probably only the turn of events which led to Tilsit prevented it. Pertz, I, 439-440.

"In Prussia I found great depression and bitterness. Three French army corps under three marshals exhausted all the resources of the country between the Vistula and the Elbe by billeting, requisitions and board-money. The conduct of the troops of the Rhine Confederation (Germans) was the most unbridled. A contribution of a hundred million francs was made the condition of evacuation; every day brought news of fresh oppressions and outrages; the neighboring governments used every opportunity for annoyance. The French officials, particularly Marshal Soult, bore themselves with unrestrained arrogance, and every city was tormented by the presumptions of a French commandant. In addition there was the individual misfortune of the thousands of now unsalaried officers who were humiliated by their deep sense of shame as the indignation of their countrymen was daily excited at the undutiful conduct of the capitulating corps and commanders of fortresses and increased by the calumnies then appearing, for example the *Feuerbrände.*

"In them (the officers) and in the great majority there glowed a deep feeling of revenge and a longing for a favorable opportunity to break their chains, to regain the former military fame and the priceless happiness of independence. Only a few cowards and weaklings found the conditions bearable and paid court to the French authorities. At the head of the French administration stood Daru, industrious, clever, well-informed and practically trained by his life amid the storms of the Revolution. He knew his business and was cognizant of Napoleon's intentions, but cold, inflexible, and practiced in the arts of oppression. I visited him in Berlin as I passed through. He asked me about th means for paying the contribution and I insisted u its diminution and payment in installments.

"The right bank of the Vistula was free from French troops, but here one could see the results of the devastating campaigns fought here in 1806 and 1807. All the resources of the region were exhausted; horses and cattle had been destroyed; many villages and several cities had been burned down; many thousands of families were in want, so that in one district five hundred children whose parents were either poverty-stricken and dispossessed or dead of putrid fever were being fed by contributions at the public cost.

"I found the king in Memel very much depressed and convinced that an inexorable fate was pursuing him and that anything he undertook would fail. He was inclined to placate this fate and divert it from the Fatherland by retiring to private life. The queen was gentle and sorrowful, full of anxiety and of hope.

"Both their Majesties received me very graciously. All the ministers had been dismissed except von Schrötter, minister for the province of Prussia, a clever, well-trained and well-informed man. Affairs had been temporarily placed under the direction of Privy Councillors Schön, Stägemann and Niebuhr. A commission for the reorganization of military affairs had been named, consisting of Colonels Scharnhorst, and Gneisenau, and Majors Grollman and Brunkowsky, the latter as a representative of the old régime. The king invested me with the direction of all internal and external matters and I accepted it, trusting in Providence and the help of the very able men whom I have just named.

"The chief idea was to arouse a moral, religious and patriotic spirit in the nation, to instill into it again courage, confidence, readiness for every sacrifice in behalf of independence from foreigners and for the na-

tional honor, and to seize the first favorable opportunity to begin the bloody and hazardous struggle."[5]

Thus impersonally does Stein announce, in a form that is essentially German in its emphasis upon subjective forces, the central idea of the era of reform and regeneration in Prussia, an idea of which he was the embodiment but which is heard again and again from the lips of poets and statesmen and warriors in this unique period in Prussian history. Monarchy and people were to be made one by the fusion of all in the noble purpose of rebuilding the state and restoring the national life behind the bulwarks of a national army drawn from a people who were to be patriots because the state had become the aegis of their economic, political, social and intellectual freedom. It was a noble purpose and it ennobled all those who strove to realize it. Around this decade in the history of the Hohenzollern state there shines a gentler light than around the harsher, colder, more egotistic years when by craft and cunning and force the dynasty was trying to form an army and a bureaucracy and to weld its scattered possessions into the semblance of a modern state. Now under adversity there took place a fusion that reached from the Memel to the Meuse, from throne to thatched cottage. Prussia, the feared and distrusted of all the other German states, now ground under the heel of the oppressor, was forced to form itself anew on the ruins of the old in the hope of the future. To the work of regeneration many were called to contribute. Queen Louise,

[5] Scharnhorst expressed similar sentiments when he wrote: "Man muss der Nation das Gefühl der Selbständigkeit einflössen, man muss ihr Gelegenheit geben, dass sie sich mit sich selbst bekannt wird, dass sie sich ihrer selbst annimmt." Letter to Clausewitz, in Pertz, II, 184.

Hardenberg, Scharnhorst, Humboldt, Gneisenau, Arndt, Boyen, Fichte, Schill, Schön, Jahn, Kleist, Körner, Schleiermacher, Vincke, Steffens, Blücher—and greatest of all in fiery zeal, in unresting energy, in unbending will, in character if not in abiding accomplishments, was Stein. It was granted to him as to none other in this crisis to have endowed by his past his name with all the qualities which made its appearance on royal edicts a guarantee to Prussia, to Germany, to the world, of the highest patriotism and the noblest purposes. Twenty years before, the profoundest statesman of revolutionary France—it was Mirabeau—had been a visitor in Berlin and with prophetic insight had measured the real weakness of the Prussian state and had closed his analysis with the query, "When that day of storm comes, where will be the pilot to meet it?" The storm had come and with a unanimity that the reluctant king could not ignore the articulate voice of the nation had named Stein as the pilot. "In words that come direct from my heart," says Hardenberg in his autobiography, "I urgently represented to the king that he was now the only man from whom he might expect help."[6] And writing to Stein, on the king's commission, he had said: "You alone, dear friend, can now save what remains of Prussia. You alone can lessen the evils that overwhelm it."[7] "Where then is Stein?" Queen Louise had exclaimed in the first days of national humiliation. "He is my last comfort. With his great heart, his comprehensive mind, he knows perhaps some way out that is hidden from us. If he would only come!"[8]

[6] "Denkwürdigkeiten Hardenbergs," III, 501. Even Goltz turned to Stein as the only hope after Hardenberg's fall. *Ibid.*, III, 523.

[7] *Ibid.*, V, 531.

[8] Baillou, "Königin Luise," p. 258.

Stein was granted but fourteen short months, from October 1807 to November 1808, in which to do his greatest work. His measures and those of his co-laborers remained but a torso, yet their creation of a Prussia better prepared for the national decisions of the Wars of Liberation was enough to write Stein's name high among the few who have had a wider vision of Prussia than the interests of a class.

Stein's name is distinctly associated with three great measures: the abolition of serfdom, the reform of city government and a plan, never decreed, for the reform of the central government and the addition to it of some form of representation. During this ministry there were also inaugurated with his approval and coöperation the military reforms which are more properly associated with the name of Scharnhorst.

All these measures, which it will be noticed deal with domestic affairs, were conditioned and, in a large sense, subordinated to the problem created by the French conquest and occupation, by the financial problems raised by the tribute the French exacted, and by the question of finding foreign support when the time should come for throwing off the oppressor's yoke. The difficulty of reform when to such conditions were added the resistance of the defenders of the old social order will be better understood if the results of the French occupation are made a little clearer than they are in the brief account quoted above from Stein's autobiography.

Stein arrived in Memel on September 30, 1807. Here the court and government had returned after their stay in the miserable little village of Pictupöhnen, where they had been during the negotiations at Tilsit. A few months later Frederick William III was persuaded that

it was advisable to move to the provincial capital, Königsberg, which had been evacuated by the French. It was with reluctance that the king made the change to "a noisy city." The only noise that history records as ever disturbing the peace and quiet of a Königsberg citizen was the lusty crowing of a cock and the singing of workhouse inmates which drove Kant to mild protests. Here in this dull and distant provincial university city, now doubly dead by reason of the pressure of Napoleon's continental system upon its Baltic commerce, in a climate unspeakably disagreeable, the court remained throughout Stein's ministry and for a year longer. Despite the longing of Queen Louise for the livelier life in Berlin, and for a climate not absolutely injurious to her health; despite the need of his children for a more suitable environment; despite the demands of his state for his presence nearer the center of affairs, Frederick William semed apathetically content to remain a *roi-faineant* with no inclination to hasten the withdrawal of the French from Berlin, and his own return to the responsibilities of closer contact with European affairs.

The treaty of Tilsit and the indefensible convention of July 12 had reduced Prussia as an effective power to about the rank of the duchy of Oldenburg. By the treaty of Tilsit the state in area and population had been reduced by about one-half through the forced cession of all but a fraction of its territory west of the Elbe to the new kingdom of Westphalia and by large subtractions from its Polish lands for the benefit of the duchy of Warsaw. Of the territory that remained to it, about five-sixths was still occupied by the French army, which was garrisoned in all the chief fortresses and dominated all the military roads. Silesia might

at any moment, when it suited Napoleon's fancy, be cut off from the territorial rump which Alexander's intercession had caused him to leave to Frederick William. Stated in actual terms, the Hohenzollern king was in effective control only of the territory between the Memel and the Passarge, and the county of Glatz in Silesia, when Stein began his ministry, and of but little more when he closed it. Everywhere else the French officials ruled,[9] collecting and appropriating the incomes through their own and the Prussian officials who had taken an oath to the French government. By the terms of the convention of July 12, 1807, signed by Marshal Kalckreuth either through "madness or scoundrelism,"[10] this occupation was to cease (except for certain powerful fortresses) by October 1, but the evacuation was conditioned on the payment of the war indemnity —and the indemnity was nowhere fixed. What it might be and what its indefiniteness signified, one can surmise when Napoleon in the successive days between July 13 and 22 raised his estimates by leaps and bounds from 73,000,000 to 120,000,000 francs, and added: "It would be all the better if we can bring it up to 200,000,000." To all his commandants he sent word that they "might say or promise what they chose, but they were under no conditions to begin evacuation until he gave them a definite command."[11]

Thus the kingdom of Prussia, which in great parts of it could by no stretch of the imagination be called fertile, reduced after almost two years of devastating war to half its former extent, was bearing the expenses

[9] Church, school, and the administration of justice were left to the Prussian officials in the occupied territory.

[10] Ranke, "Denkwürdigkeiten Hardenbergs," III, 521.

[11] Kalckreuth knew the French purpose in making such terms and yet he signed the convention. Hassel, "Gesch. d. preuss. Politik," pp. 1-2.

of an army of 150,000 French soldiers as well as supporting the remnants of its own army, and it was faced by the certainty that this burden must continue until an indemnity of unknown proportions was paid. What future could it have, surrounded as it would be by Napoleonic subsidiary powers—the duchy of Warsaw, the kingdom of Westphalia and the other members of the Rhine Confederation. What chance would it have for economic recovery when the French army and its own needs ate up even the seed corn for the next harvest and the continental system throttled its commerce and industry?[12] Where could one look for comfort, where on the whole continent was there to be seen a ray of hope that this might ever end? Russia, the only independent power, was Napoleon's ally, bound to him by treaties that looked toward enterprises limited only by the Himalaya mountains and the waters of the Indian ocean. The Iberian peninsula and the hard-pressed Turks alone retained a semblance of independence. Sea-girt Albion stood erect in her island isolation and the spirit of Nelson and of Pitt yet directed her defense and her diplomacy. For Prussia it seemed that there was no salvation but in her own efforts and Stein's leadership. And the voice of all that was best in German character speaking the language of Kant and embodied in the last great imperial knight replied, "We can because we ought." In verity, Stein became "the rock" of Prussia's salvation; and well might Niebuhr proclaim, "*Tu es Petrus et supra hanc petram aedificabo ecclesiam meam,*" and Frau von Berg write him, "All our hopes rest upon you."

No other man in Prussian history, not a sovereign,

[12] On the continental system, see Melvin, "Napoleon's Navigation System," Philadelphia, 1920.

had ever before been called to meet such a crisis or to exercise such large powers as those with which Stein was invested. By the terms of the king's letter to him he was made a prime minister of the kingdom in a more definite sense than was Danckelmann under Frederick I or than Hardenberg, who for the few months preceding had been invested with large powers in foreign and domestic affairs. When Hardenberg was driven out by Napoleon, Frederick William had called his old favorite Beyme again as his cabinet councillor and was receiving all reports through him. The real business, so far as there was any, and the duty of proposing reforms had been entrusted to two commissions, the so-called Immediate Commission composed of some half dozen active and able spirits, and the commission upon military reorganization headed by Scharnhorst. To these Stein had no objection and they labored on throughout his ministry.

The provision that he should have to report to the king through his former patron, Beyme, whom he now thoroughly despised, was more than Stein could tolerate. He promptly demanded Beyme's dismissal and free access to the presence of the king—a privilege which had been granted Hardenberg in the preceding months. Now Beyme was a man dear to the king's heart and a man of talents who deserves to have the harsh judgments passed upon him by Stein and the other reformers considerably modified in view of his long and able career as head of the Prussian judicial system. His talents were not, however, of a kind for such a crisis as that in which the Prussian state now found itself, and, though he had approved Stein's recall, his hostility to him had not ended and Stein's toward him and his method of governing was unconcealed.

The king reluctantly yielded, but his concession was only a compromise. Beyme was made President of the Supreme Court and was to remain near the king until the return to Berlin. Stein was to have the privilege of direct admission to the presence of the sovereign four times a week to present his reports and recommendations, but in the presence of Goltz, minister of foreign affairs, Scharnhorst, head of the military commission, and a cabinet secretary.

Stein yielded to the pleadings of the queen. Louise wrote him: "I beseech you to have patience during the first months. The king will keep his word and Beyme will be removed, but not until we are in Berlin. Do yield until then. In Heaven's name do not wreck all for want of three months' time and patience. I appeal to you in this for the sake of the king and the Fatherland, for my children and for myself. Patience." The good friend of his younger days, Frau von Berg, added her appeal to him not to let the first unpleasantness drive him away but rather to be such a support to the queen as she needed in all her noble purposes for the good of the nation, her husband, and her children. The crisis was a real one. The queen's own words of relief when Beyme presented his resignation from the cabinet make it plain. "This at last brings the matter to a conclusion, but it pained the king and it was not a decision that was reached in a moment; and the intervening seconds, as they went tick, tick, were as earthquakes which exhaled much sulphur and vile fumes." Her successful mediation was the queen's greatest single act in the work of reform. As her latest biographer[13] well points out, it made possible all Stein's beneficent activity. It united in the great task Stein and Queen

[13] Bailleu, "Königin Luise," Berlin, 1908.

Louise, the two persons who most completely embodied the high ethical purposes of the epoch of regeneration.

Armed with almost dictatorial powers, Stein addressed himself to the tasks before him with characteristic vigor and despatch.[14] He had assumed office on October 1. On the ninth he affixed his name to the edict of liberation for the serfs, and on the twelfth a program of reduced expenditures was put in force. It is with the latter measure and others like it looking to the paying of the war indemnity and the end of the crushing occupation that this chapter will concern itself, leaving for separate treatment in succeeding chapters the principal reform measures.

Three separate times Stein directed the preparation and then approved budgets which sought by economy to wipe out the deficit and make the expenditures small enough so that some savings could be applied to the state's most pressing need—the recovery of unhindered control over the lands left it at Tilsit. These economies were made in four principal directions: (1) a reduction in the pension list; (2) cutting off the salaries of officers and officials now unemployed, and reducing the salaries of those in service and receiving about 300 thalers on a sliding scale proportioned to their salary, *i.e.*, from 4 per cent for the lowest salaries to 50 per cent for men like Stein himself; (3) a ruthless reduction of court expenses, which to Stein's regret had finally to include the cessation of subsidies for charitable institutions such as schools for the deaf and blind. The 4th, and in Prussia the greatest expense, was the army. Though dejected, disgraced, disorganized, it was still demanding for its maintenance about four-fifths of the

[14] *Cf. e.g.*, "Denkwürdigkeiten Heinrich und Amalie von Beguelin," Berlin, 1892, p. 183.

current income. Fallen from its high estate it was in no position to make a vigorous opposition to the reduction in its budget, and Colonel, later General, Scharnhorst, who was its representative at court, was in thorough agreement with Stein and pointed out the places where reductions could be made. Rations were cut, horses sold, the purchase of arms and cannon diminished and the work of demobilization pushed forward.

On the whole the policy of retrenchment met with little opposition and most of those for whom it meant some deprivation from the lowest official to the princes of the royal family cheerfully submitted to the inconveniences of the new régime. At two points only were there any exemptions made. The salaries of the diplomatic corps were kept at the old figures, for Stein felt that Prussia must put on a good face abroad where its representatives had to meet standards of living not set by themselves. So the minister in London continued to draw 18,000 thalers while Stein's own salary of 10,000 was cut in half. The second exemption was the king's own income, which Stein felt was a matter too closely akin to the sanctity of the sovereign's person to be brought into the deliberations of the Immediate Commission.

These economies are very creditable, but they were no solution of the pressing financial and political problem involved in getting Napoleon to fix the indemnity which must be paid before the French troops withdrew. When the state's income had already been diminished by the occupation of all but a small fraction of the country, when not a cent came to the Prussian government from the occupied territory and the sources from which 60 per cent of the old income had been derived,

i.e., domains and forest lands, salt, mines and the land tax, were in the enemy's hands, such a negative program as that outlined was but an earnest of the spirit in which Stein and his colleagues faced their task. It was not a solution.

The whole indemnity question, as Daru, Napoleon's representative in Berlin, curtly said, was a matter not of arithmetic but of politics, and his figures showed that Napoleon's politics required Prussia to pay 154,900,000 francs,[15] while the Prussian arithmetic had placed the obligations at the time of the convention of July 12 at 19,800,000 francs.[16] When the Prussians with blind optimism began to figure on budgets that reckoned on immediate evacuation and the utilization of the income from the lands to be restored and on a period of at least six years in which to pay the indemnity, Daru flatly said that he must have 100,000,000 francs within the year. Stein argued with him in vain and made fruitless appeals for Russian mediation,[17] only to be advised by Alexander to yield everything. Queen Louise offered to go to Paris and once more

[15] To these Daru added a demand that Prussia should pay all private claims presented by citizens, corporations or communities within the lands ceded to France. These amounted in all to about 30,100,000 francs. For the harshest terms proposed by the French cf. Hassell, pp. 34-35. Daru was acting under orders from Napoleon. *Cf.* "Correspondence de Napoleon," XV, 453. On the French exactions see Duncker, "Aus der Zeit Friedrichs des Grossen und Friedrich Wilhelms III," pp. 503-547. This essay is an attempt to use history for the defense of the indemnity exacted from France in 1871.

[16] These estimates were made up before Stein assumed office.

[17] In August, General Knobelsdorff was sent on a fruitless mission to Napoleon. He waited two weeks for an interview with Napoleon and was then granted only a few minutes in the presence of others. Even the king's personal letter which he bore remained unanswered. It was after this that Frederick William appealed to Alexander. Hassell, pp. 2, 9.

seek as she had done at Tilsit to intercede with Napoleon for less crushing terms. Stein replied grimly, "Not yet," but did edit two letters for her, one to her sister then in Paris, who by indirect means was to place it before Napoleon, and another letter addressed directly to the Corsican. Stein did see clearly that there was no use expecting modifications from Daru in Berlin unless Napoleon had first approved them. As the Prussian envoys in Paris were far too mediocre to accomplish such a result, it was resolved to send a prince of the house of Hohenzollern to humble himself before the Corsican as many a German prince had done since 1801. The choice fell upon the idolized brother of the king, Prince William, who with his clever and beautiful wife had already shown efficiency and a noble and self-sacrificing spirit in the civil and military affairs intrusted to his charge. Prince William, with the fervent prayer that he might be useful to the Fatherland, undertook the journey to the city which he had hoped never to see. His instructions dated November 5, 1807, empowered him to offer Napoleon an offensive and defensive alliance by which Prussia was to place at Napoleon's disposal thirty or forty thousand soldiers and asked in return only a diminution of the indemnity, a longer time in which to pay it, some slight territorial readjustments and the immediate evacuation by the French.[18] He was instructed to try all avenues of approach to Napoleon by currying favor with Josephine, the Bonaparte family, the French generals and the courtiers, and with anyone who might have influence with the conqueror.

Such abject prostration as is represented in this

[18] Willingness to join the Rhine Confederation was even to be suggested.

mission, guided by such instructions, has been proclaimed one of the riddles of Stein's career. It is such when one approaches the study of Stein from the standpoint of the diplomacy of Napoleon and the dominance of international affairs with him over every other consideration. But Stein was not a diplomat nor a courtier. His whole character and previous training in no way helped him to divine what we know and what he later learned, that Prussia was but a pawn in the larger game in which Napoleon immediately conceived his new Russian ally as a possible opponent and one who must be brought to the evacuation of the Turkish Danubian principalities by the veiled threat of a French corps conveniently disposed in Prussian fortresses. Stein's eyes were on Prussia and her conditions. He suffered with her sufferings from the occupation. His plans for her regeneration then being worked out looked not directly to new alliances and great international combinations, but to the clearing away of the medievalism which clogged the avenues by which the state, socially and politically modernized within, might go forward as Fichte and as Stein himself pointed out to save itself. At every point where he set to work on this great task the French occupation interposed a *non possumus*. Better what he empowered Prince William to offer Napoleon if it liberated the land, than a continued occupation which made impossible any rebuilding of the state.

Stein did not await the outcome of Prince William's attempt to fix the sum to be raised, but began to formulate plans for paying whatever should utimately be determined upon. The plan of an income tax for East Prussia was approved despite the opposition of the nobles and military class, but to lay higher taxes upon

provinces devastated by war or borne down by the military occupation was out of the question. Loans were a possibility and the avaricious old Elector of Hesse was approached but in vain. Niebuhr was despatched to Hamburg and to Holland to sound the Dutch financiers and to negotiate a loan, even if the terms were as disadvantageous as those by which the United States secured money for the purchase of Louisiana. The most promising possibility was to realize on the vast domain lands of the crown or even to resort to a secularization of church property. The latter plan he scarcely dared give publicity at this time, but returned to it in 1808 in connection with his scheme for bettering the condition of the clergy. The domain lands had with difficulty been kept from serious diminution by Napoleon's demands that he be ceded a large part of them for his own private fortune or as a source from which he could reward those of his following whose avarice he desired to feed as he was already doing in other conquered areas, notably the duchy of Berg and the kingdom of Westphalia. Stein had been firm in rejecting all demands for their cession. He neither cared to enrich Napoleon nor to create an embarrassing situation in which, as landlords, Napoleon or his satellites could interfere in the internal affairs of Prussia or complicate the execution of his program of agrarian reform. Nevertheless he was ready to use them as collateral for the payment of the state's obligations to Napoleon. But there were obstacles in the way. The Prussian sovereigns had since the beginning of the eighteenth century been adding to their enormous holdings till their value at this time is estimated at 250,000,000 to 300,000,000 francs; and Frederick William I, who had inaugurated the policy of making the royal

lands as extensive as possible, had in almost violent terms pronounced anathema against any successor who upon any pretext whatsoever should attempt to alienate a single clod of these coveted possessions. Even if possible buyers were assured that an unclouded title could be conveyed by a royal edict and a joint agreement of all Hohenzollern princes who for themselves or their heirs might have any hope of inheriting the crown, where were the buyers with capital in this impoverished land; and where were they within and without Prussia who had not had all the opportunities they desired in a market glutted by the lands thrown open to purchase by Napoleon's beneficiaries in Poland, Berg and Westphalia? By what kind of a politico-financial arrangement could the state best enter the market as a seller of lands?

Stein proceeded with caution, for the problem was a complex one and the official opposition strong, particularly to the sale of forest lands for immediate private exploitation at the cost of future generations. The plan was to realize upon domain lands, forests, mills, brick-kilns, etc., to about the amount of 12,000,000 thalers[19] by issuing mortgage bonds or debentures for this amount with the property mentioned as collateral and then gradually to redeem these bonds by the sale of the lands. The nobles (*Ritterschaft*) of various provinces had been allowed by the state to associate themselves for the purpose of making similar land loans and it was determined that the state should join the associations and go into the market with its land-secured bonds along with the class hitherto privileged in this matter. A beginning was made in East Prussia which, being free from occupation, was Stein's only

[19] Thaler = 3.7 fr. Lehmann, II, 234, note 1.

unlimited field for financial and social experiments. Here the matter was laid before the so-called diet of the land association, to which were added by Stein representatives of the free peasantry[20] (February, 1808), with a promise that some day a really representative diet should be constituted, "the very first promise of a constitution uttered on behalf of the Prussian monarchy." Under the presidency of a royal official the assembly, despite exhibitions of provincial and class spirit which sound much more like echoes of the struggles against the Great Elector and Frederick William I than utterances inspired by the French Revolution, was brought to approve the sale of the state's land bonds through their association, and to consent to the income tax and the abolition of the feudal *banalité* of compulsory use by the peasant of the lord's mill. The importance of the presence of representatives of the peasant landowners, the promise of a real diet some day, and the institution of an income tax, the first tax of its kind in Prussia which fell upon all classes without regard to former privileges and exemptions, are interesting by-products not to be overlooked in considering Stein as an innovator.[21]

To further hasten the conclusion of the whole matter Stein resolved upon the doubtful expedient of going in person to Berlin armed with plenipotentiary powers. He would thus replace Sack, the king's resident official in the negotiations with Daru. Suppose he accom-

[20] In the directions to the royal representative Stein says: "Nur auf dem Wege der Stimmfreiheit, wodurch die Verantwortlichkeit der Meinung dem Abstimmenden selbst zugewendet und jeder Einzelne genöthigt wird, den Gegenstand von allen Seiten zu erwägen, kann ein lebendiger und wirksamer Geist in die Berathschlagungen über gemeinsames Interesse gebracht werden." Quoted by Hassell, p. 139.

[21] *Preussische Jahrbücher*, Vol. 103, pp. 1-37.

plished nothing? And what could financial offers to Daru effect when Napoleon was making the evacuation of Prussia dependent on the Russian evacuation of Moldavia and Wallachia? What would become of the great projects of internal reform in the meantime? How could Stein maintain his power at court where intrigue and opposition were sure to raise their heads, particularly if his absence were prolonged or his mission unsuccessful?

But Stein counted upon success and increased prestige. The whole complex political program of the Napoleonic diplomacy was to him almost a sealed book. His schemes for raising the indemnity seemed to him well calculated to give what he thought would be satisfactory assurances of Prussia's financial solvency. Early in March, 1808, he arrived in Berlin.[22] On March 7 he held his first conference with Daru. On the ninth a second and concluding one. Stein accepted the French figures, 154,500,000 francs for the indemnity, but Daru credited the Prussians with one-third of this sum by reason of the national income collected and appropriated by the French in the occupied territory and for the installments paid by the provinces of the indemnity levied against them. The rest was to be paid in gold and in the domain debentures and bills of exchange, one-third at a time, and as each third was paid the French would evacuate one of the three powerful Oder fortresses, Glogau, Küstrin, and Stettin; all other troops were to be withdrawn within thirty days after the conclusion of the convention. The four great military roads were to remain open to the French.

[22] On the negotiations of this period, see Hassell, "Geschichte der preussischen Politik," Vol. I, Leipzig, 1881. This is volume six of the "Publikationen aus den königlichen preussischen Archiven."

On the whole, Stein's mission seemed to have attained a considerable success and that very promptly. The day the agreement was signed was the day Stein should have returned to Königsberg.

A new conjuncture in European affairs, not Stein's personal efforts or Daru's generosity or Prince William's mission, had brought the French agent to grant terms much more favorable than Stein had reason to expect. Complications in the East, where Russia was not yielding on the Turkish question,[23] and in the West, where the punitive expedition against Portugal had begun the Spanish embroglio, made it highly desirable that Napoleon should set free the troops now garrisoned in Prussia. Stein learned of these complications from the dispatches of Prince William, which he opened on the night of his arrival in Berlin. Although Daru denied that he had any new instructions,[24] Stein found him in a yielding mood and made good use of the occasion. Stein, however, made the mistake of waiting in Berlin for Napoleon's ratification of the convention with Daru. It never came.[25] Instead the conqueror immediately declared that no subtraction from the indemnity could be made for the taxes and other sums collected by the French and reckoned by Daru as equal to one-third the indemnity. He further objected to the method of payment.

Stein renewed the negotiations with Daru and busied himself in making in the occupied provinces arrangements similar to those in East Prussia for the mort-

[23] In Napoleon's own words at this time, "Constantinople was the god of his politics."

[24] Hassell believes he had, although the French archives reveal none. *Cf.* Hassell, *sup. cit.*, pp. 129 ff.

[25] Napoleon expressed approval to Prince William, *ibid.*, 459.

gaging of the domain lands of the crown.[26] He pushed his efforts to raise as much cash as possible, sending orders to Königsberg to pack and have ready for shipment the gold service of Frederick the Great. This he planned to melt down and with the sale of the crown jewels to realize ready money. He sought by every means to avoid any occasion that would arouse Napoleon's anger. He approved the censorship of Fichte's "Addresses to the German Nation," then in course of delivery in Berlin; he sacrificed to Daru's hostility the capable Prussian governors in the Mark and in Silesia, Sack and Massow. Stein himself humbly revoked orders of his own given to Prussian officials in the occupied provinces. He was powerless to alleviate except by good advice the suffering which the French plundering was causing on all sides. Uneasy in a situation so unnatural and so humiliating for him, Stein worked in vain for the successful conclusion of the negotiations whose protraction the public did not understand. At last the situation in Königsberg demanded the ending of a mission whose continuance could no longer be justified by its results.

From two sources Stein learned that his presence near the king was highly essential for Stein's own sake and for the sake of the state. Intrigue against him was poisoning the king's mind, for Beyme, Stein's old enemy, was at work with all his strength and with the backing of the discontented elements at court. Queen Louise felt that the situation was critical. Through Frau von Berg and in a letter directly to Stein she warned him of the "villainous cabal which was mining and countermining," and begged him to return and

[26] Daru insisted that he obtain the consent of the Estates. *Ibid.*, 141-142.

all would be well. The party of action, led by Scharnhorst and Gneisenau, wanted him at hand so that advantage might be taken of the situation to urge vigorous action on the king if the Spanish revolt should involve Napoleon any more deeply. On the 31st of May Stein was again in Königsberg after an absence of three months.

Here on the distant shores of the Baltic he found the patriotic party inspired with new hopes by the tidings from faraway Spain. The month of May, 1808, had seen the despised Spaniards rushing to arms in an effort to throw off the yoke so meekly accepted by their miserable king at Bayonne. Napoleon was forced to roll up the map of Europe over which he and Alexander had been pushing avaricious fingers in their effort to determine on the proper partition of Turkey. His equally far-reaching plans for dominating the Mediterranean had been halted, as it proved forever, by the rush to arms of priest-ridden, priest-led Spain. Wherever the name of Napoleon had meant oppression, grinding exactions, and stifled national spirit throughout the continent of Europe there ran from lip to lip the thrilling story of how the Spanish people, abandoned by its natural leaders, without allies and almost without arms, had flung defiance in the face of the world conqueror. Nowhere were the political possibilities of the complications in which Napoleon might be placed by this result more quickly drawn than in Prussia. Stein in his autobiography recalls vividly the state of public opinion:

"The popular war which had broken out in Spain and was attended with good success, had heightened the irritation of the inhabitants of the Prussian state caused by the humiliation they had suffered. All

thirsted for revenge; plans of insurrection, which aimed at exterminating the French scattered about the country, were arranged; among others, one was to be carried out at Berlin, and I had the greatest trouble to keep the leaders, who confided their intentions to me, from a premature outbreak. We all watched the progress of the Spanish war and the commencement of the Austrian, for the preparations of that power had not remained a secret; expectation was strained to the highest point; pains were necessary to moderate the excited eagerness for resistance in order to profit by it in more favourable circumstances. It was with this feeling that the members of the Military Commission, Colonels Scharnhorst, Gneisenau, and Major Grolmann, went on with the preparatory military arrangements. Colberg was strengthened to maintain the maritime communication with England; brave officers were chosen to be commandants of corps; all the slothful, lukewarm, or evil-disposed, all who were content with servitude were dismissed; at the head of whom stood Field Marshal Kalckreuth, author of the unhappy Peace of Basel [Tilsit], an able and experienced soldier, but crafty, ambitious, envious, and paralysed by the routine of old age and the domination of a malicious and grasping wife. This party was joined by all the men of pleasure and fashion, *e.g.* Prince Hatzfeld, all Jews, here and there a narrow-minded country squire, all the selfish men of office and red tape, with several learned sophists, and as far as they could they favoured adhesion to France.

"To the great mass of the nation this thought was intolerable, the incubus of the French garrisons, of marchings through the country, indescribable provocations, kept alive its hatred of the French, and powerful

support might be counted upon. Fichte's 'Addresses to the Germans,' delivered during the French occupation of Berlin and printed under the censorship of M. Bignon, the Intendant, had a great effect upon the feelings of the cultivated class.''[27]

Indeed it may be said that the Prussians of their own initiative had begun before the Spanish uprising to arouse and direct their own spirit of nationality against the universal oppressor. All the efforts of the reformers had as their central purpose such a re-creation of the Prussian state morally and materially as would prepare the way for a national uprising. The addresses of Fichte to the German people had nationality as their central theme. Secret organizations planning and preparing for the great day were numerous. Only one of these had a history of even apparent importance and this is one with which Stein's name was much associated in the public mind of that day. This is the so-called *Tugendbund* or League of Virtue.[28] A group of patriotic and well-meaning officers, officials and scholars had associated themselves together in April, 1808, in what their statutes called a "moral and scientific union." Its constitution was an extremely verbose document filled with high and, for such a society, impossible aims. Its organization was complicated and impractical. But its intentions were of the best, for its leaders truly desired to support the hands of the men who were carrying on the work of reform. Its statutes were submitted to the king and approved by him, and its efforts to spread patriotism and the best means of preparing for the day of accounting were approved by Stein and Scharnhorst who, however, never became

[27] Translated by Seeley, "Life and Times of Stein," pt. IV, ch. I.
[28] Paul Stettiner, "Der Tugendbund," Königsberg, 1904.

members. Boyen, one of Scharnhorst's chief supporters in the work of military reorganization, is indeed the only important name among the reformers in its membership, which never at any time much exceeded six hundred.[29] The French were at once suspicious of it, and Prussian opponents of the reformers hurled at it the reproach of Jacobinism and of desiring to serve the cause of democracy rather than the king of Prussia. To these two elements, and to some historians who have drawn their information from their mendacious reports, Stein remained always the man of the *Tugendbund,* one of its founders and its real chief. For such views there was no basis other than that Stein was ready to use the *Tugendbund* if he found it at all helpful in the work of reform and liberation. But unfortunately for him the false views persisted, and in Vienna, especially in the eyes of Metternich, and in Paris, he remained, even after his career as a minister was closed, under the suspicion of having resorted to the organization and direction of a secret revolutionary society.

Stein was concerned with larger things than could ever have been brought to pass by the *Tugendbund,* which, it may be said in passing, accomplished nothing definite and disbanded after less than two years of pseudo-activity. His program of reform now took on more and more varied features, including the reorganization of schools and the church, and the betterment of the bureaucracy. On August 3, 1808, the military reforms were proclaimed—one of the greatest acts in the transformation of the Frederickian state into the modern Prussia. To this and other measures we shall return later. What is here of historical importance is to

[29] Hintze in *Hist. Zeit.,* Vol. 94, pp. 441-442.

mention these matters in their proper chronological order, that it may be clear how incessant Stein was in the work of the internal rehabilitation of the state. Each measure of course aroused its special opponents and increased, as did Turgot's edicts, the circle of the reformer's enemies at court and among the privileged classes and those persons and corporations who felt aggrieved by the new order.

Neither the *Tugendbund* nor the opposition of discontented representatives of the old order nor the cabals of dispossessed office-holders, nor the waning loyalty of friends at court, like Madame Voss, Madame Berg and Queen Louise, wholly suffice to explain Stein's second dismissal on November 24, 1808. The reasons which drove him forever out of office in Prussia and made him for some years an exile in foreign lands lie deeper and involve considerations much larger than any of those mentioned above. These were but the small things by which men of Frederick William III's mediocrity are sometimes strengthened in making decisions demanded by major policies. The larger matters which determined the fate of Stein related to international politics and to the position which Prussia and her king assumed toward Napoleon.

The Spanish uprising had definitely strengthened if it had not actually breathed the breath of life into the Prussian patriot party. Something of the boldness and abandon of the Spanish in their desperate struggle instilled itself into their spirit, and Stein, thoroughly disenchanted with diplomacy and pressed harder than ever by the necessities of finding some relief for his exhausted country, became the leader of the party of insurrection. "Every nerve must be stretched, and every force set in activity," he says, and

"be prepared for privations of every kind, for death itself, if we follow the path upon which we are now entering." "Let us pursue our course and leave the results in the hands of Providence." Of the same faith, and with the same willingness to risk all, were Scharnhorst and Gneisenau, who with Stein formed a triumvirate in the summer of 1808. Their plans looked to the arming of the nation—a levy *en masse*—and the immediate conclusion of an alliance with Austria. For the Spanish conflict had aroused Austria, who saw liberation from the oppressive terms of the treaty of 1805 in the possibilities of a national uprising and feared that waiting would bring her the same fate which threatened the Spaniards if no one followed their example. An Austrian court party headed by Stadion and spurred on by the new empress, had begun to arm the nation by inaugurating a national militia formed from classes hitherto exempt. A month later (June 9) general military service was proclaimed for all provinces but Hungary. The plea of the Prussian triumvirate was to forget all the past of Austrian selfishness and neglect and join hands with her in this crisis. Queen Louise, whose sympathies were with the party of action, was moved to write a belated letter of good wishes to the Austrian empress-bride. Count Götzen, who had given such an excellent account of himself in the defense of Silesia in 1806, was despatched to that province with instructions bearing the king's signature and so worded that a man of Götzen's known hostility to the French would interpret the power to act in extraordinary circumstances as a warrant to take all possible measures to establish communications with the Austrians in order to sound out their plans and to turn the Prussian troops against the French if hos-

tilities broke out. Through the former Prussian ambassador in London Stein and his associates sought to open negotiations with Canning in order to get money and the munitions of war. Hopes that they might win the favor of Alexander, who was somewhat shaken in his faith in Napoleon by delays in the matter of the Danubian principalities, proved short-lived, for Alexander advised the king to adhere to Napoleon, with whom, be it remembered, Prince William was still negotiating in Paris. As to the ethics of concluding a treaty with France, which would almost immediately be broken if the triumvirate won Frederick William to their plans, Stein had not the slightest compunctions. To the protests of the king and his colleagues he replied, "Shall Napoleon be the only successful liar?" For him all else must be subordinated to the successful prosecution of a war by *Germans* for the liberation of *Germany*. Prussia was not first or alone in his plans.

The real crisis came on August 23, 1808, when Stein and his supporters followed up a series of memorials[30] by a conference in which they sought to win Frederick William to open approval of an Austrian alliance, whose object would be war upon Napoleon. Frederick William drew back from such a desperate measure. Something, he hoped, might still be won from Napoleon by negotiations, and an Austrian alliance was possible only after Austria had won some successes. In other words the monarch decided for the Russo-French alliance. Did the minister and his supporters quietly acquiesce in the decision? Apparently not. They were still ready for desperate measures, hoping to precipitate a crisis, which would force the king's

[30] *Cf.* July 27 and Aug. 11; Pertz, Vol. II, esp. pp. 197 ff.

hand. Götzen in Silesia was told to pass the word to Austria that Prussia would follow her if she would only take a bold stand. They sought through his wife to secure Prince William's return from Paris. His name and popularity would give them a rallying point and a leader from the reigning dynasty if the king failed. They would arouse and arm the peasantry, put them under officers chosen by election, establish provincial committees and governors. To them things more important than the centralized monarchy, privileged nobility, and even the dynasty itself were at stake. Perhaps they were right, but no other minister had ever found it possible to shape a policy for Prussia that was not based upon his own and the nation's loyalty to the reigning house of Hohenzollern. Stein was ready to play the game for high stakes—but a crown and a kingdom under an absolute monarchy may only be pledged by the wearer and the ruler.

The king and the court party favorable to the Russo-French alliance had still two possibilities: Prince William's negotiations in Paris, which were certainly not promising a favorable outcome, for Napoleon with crafty boldness raised instead of lowering his terms even though pressed by the Spanish difficulties; the second was the hope that Alexander of Russia might successfully intercede for Prussia at the great congress of Erfurt, where Napoleon was to meet the assembled sovereigns in October, 1808. Alexander passed through Königsberg on his way to Erfurt and graciously promised to do his best for Prussia. The two things that Stein desired above all else were the return of the Prussian soldiers still held by the French and the evacuation of Prussian forts and lands. Alexander departed for Erfurt on September 20, Stein was to fol-

low shortly as Prussia's chief representative. He never went. He never met Napoleon there or elsewhere.

On the morning of September 21, there arrived in Königsberg a messenger from Paris. He bore despatches from Prince William that told of double disaster. The prince forwarded a draft of a treaty he had concluded with Napoleon on September 8. He also explained why he had put his name to a treaty whose exceptional character was matched only by the reason for concluding it.

The convention signed by Prince William on September 8, 1808, was harsher in its terms than any previous arrangements proposed, notably the agreement concluded by Stein with Daru in Berlin in March. Instead of the 101,000,000 francs of indemnity then agreed upon, the September convention fixed it at 140,000,000 francs. Fixed is perhaps not the proper word, for Article 4 provided that further negotiations would deal with the claims of the ceded Prussian provinces against their former sovereign. Besides this the Prussian claims on subjects now dwelling in the duchy of Warsaw passed to the French government. In return for this Napoleon was to evacuate Prussian territory in thirty to forty days after the ratification of the treaty, except the great fortresses of Glogau, Küstrin and Stettin, whose French garrisons of ten thousand men should be supported by Prussia until the indemnity was paid. Seven military roads connecting these fortresses and other strategic points in Brandenburg-Prussia were to remain open to Napoleon and his armies. A secret article embodied a measure already threatened by Napoleon earlier. Prussia was to reduce her army to 42,000 men for the ensuing ten years

and not to increase it by any pretext. If war broke out with Austria, Prussia was excused on account of her condition from furnishing any troops during the year 1808. The succeeding year would see her liable for a contingent of 12,000 and thereafter of 16,000.[81]

The disheartened Prince William, furnished with instructions that did not fit the situation in which he found himself, had pursued the negotiations to the bitter end and sealed with his own hand the instrument which, though it branded his mission a failure, might, he hoped, give his country a chance at existence. If more desperate measures were to be taken, the burden must be assumed by his brother and the party of action in Königsberg. Surrounded as he had been for months by every evidence of the world conqueror's power and humiliated by the contempt heaped upon his land and his mission, he had felt that Prussia and her existence was but a pawn in a great game. When he went, on September 3, for the crucial interview with Champagny, Napoleon's minister of foreign affairs, he could have expected but one result—but the inevitable surrender was made more certain when Champagny produced a letter of Stein's, captured on August 25 upon the person of the messenger as he was passing through Berlin on his way from Königsberg to Dobberan in Mecklenburg. This letter was at once forwarded to Paris, where it arrived on September 2, and at Napoleon's command had been translated immediately. As the letter was not even in cipher there had been no delay in arming Champagny with this extraordinarily indiscreet document. It was dated at Königsberg, August 15, 1808, and addressed to Prince Wittgenstein, a somewhat discredited hanger-on of various German

[81] De Clercq, "Recueil des traités de la France," II, 270-273.

courts, among them the Prussian, who at the time stood in a supposedly close enough relation to the exiled but wealthy elector of Hesse so that he might be expected to forward Stein's plans for securing a loan. To arm the nation and carry out the plans of the party of insurrrection required money, and the elector of Hesse not only had it, but, as his principality had been added to Jerome Bonaparte's kingdom of Westphalia, he had every reason for taking a chance on backing anything aimed at the overthrow of the Napoleonic régime in Germany.[32]

The letter opens with a reference to the fact that the messenger, Koppe, carries official despatches giving full particulars concerning the business matters, *i.e.*, instructions and full powers as Prussia's agent to negotiate a loan with the elector of Hesse.[33] Then Stein goes on to say that he takes this occasion to add some remarks concerning the general situation. He summarizes the instructions to Prince William in Paris, *i.e.*, to offer Napoleon an alliance and an auxiliary corps in return for a delay or decrease in the amount of the Prussian indemnity. If Napoleon leaves Paris without replying, the prince was to withdraw, and Napoleon's refusal of aid at a time when Prussia could be useful to him would be interpreted as a decision to destroy Prussia. Anything might be expected:

"Resentment is daily increasing in Germany, and it is good policy to encourage it and to spread it among the people. I sincerely hope the organizations in Hesse

[32] *Cf.* Cavaignac in *Revue historique*, Vol. 60, pp. 69-93, and supplementary notes by Stern in the same volume, p. 330.

[33] The original of the letter has disappeared. The French translation sent on by Marshal Soult is printed in Cavaignac, I, 491-492. The *Moniteur* text suppressed certain passages.

and Westphalia may be maintained and that they will be prepared there for certain contingencies, and that they will keep constantly in touch with vigorous and well intentioned men and the latter will also maintain communication with others. If your Highness can give me any light on these matters, pray send the information by Herr Koppe or any trustworthy man.

"The events in Spain made a distinct impression and are a visible proof of what we should long ago have perceived. It would be very helpful if in discreet ways the news about them could be spread, since they show to what lengths cunning and the desire to dominate may go, as well as what a nation may do when it has strength and courage.

"The general opinion here is that the war with Austria is inevitable. This struggle will decide the fate of Europe and consequently ours too. How successful do you think it will be? Would it be possible to employ the same plans as in the spring of 1807?"

Any friend of Stein's, knowing the capacity of the Napoleonic diplomacy for forging, would at the first reading say that it was a fabrication. But it was genuine, all too genuine. Not all the excuses of considerate biographers can make it other than a great blunder. The existence of peace between Prussia and France justified no neglect of precautions for preserving secrecy in all communications that might pass through the French lines or near the cities garrisoned by them. Add to this the allusions in open script to plans to be renewed as the result of the Spanish national uprising, and put all this over the signature of the responsible minister who was to go to Erfurt to negotiate with Napoleon for the relief of his land, and

one has not only an incident, but a revelation of Stein's imprudence and essential incapacity to play the diplomatic game in the Napoleonic era.

On September 20, a few hours before the arrival from Paris of the messenger bringing the treaty of September 8, and the *Moniteur* containing a garbled version of Stein's letter, Alexander had left for Erfurt for the great assembly of European princes summoned by Napoleon. Stein was to follow the next day as Prussia's responsible minister.

Now all was in confusion.[34] Stein hastened to the king to inform him of the mishap and present his resignation. The king was furious and Queen Louise inconsolable, says the old Countess Voss in her memoirs.[35] But Stein's resignation was not accepted. However, it was arranged that Goltz should replace Stein on the mission to Erfurt, and that after his return Stein was to have nothing to do with foreign affairs.

Frederick William wrote at once to Alexander, who had met the messenger and knew already of Stein's indiscretion. The letter betrays Frederick William's distress at "this explosion of a powder mine." "Stein has destroyed himself (*l'est perdu*) by an imprudence that is wholly inexplicable to me, and if your Majesty by his generous interest does not support us it is all up with Prussia, for what has just happened is enough to break its neck (*lui casser le col*). I beg of you, Sire, to calm if any means are possible the anger of Napoleon. Remind him that it is he who suggested Stein when the question was up of dismissing Hardenberg, and that only despair could have forced from him

[34] For Berlin public opinion see Granier, "Berichte aus der Berliner Franzosenzeit," Leipzig, 1913, pp. 289, 295, 299-301, 307, 308, 314.

[35] "Neunundsechzig Jahre am preussischen Hofe," Leipzig, 1900, p. 338; *cf.* also documents in Cavaignac, I, 498.

(Stein) such thoughtless words. Oh, if there be any way of saving him, but I doubt it! How trying and difficult for me in such a critical moment to choose a successor able to replace him! . . .'"[36]

From the standpoint both of his own personal interest and that of his policy the outlook was most unpromising for Stein. Napoleon had ordered[37] the unfortunate messenger Koppe into close confinement for further questioning. On September 6 he ordered his brother Jerome to sequester such of Stein's lands as lay within the borders of the kingdom of Westphalia.[38] On September 10 Napoleon wrote Marshal Soult in Berlin: "I have demanded that he (Stein) be driven from the ministry, without which the king of Prussia shall not return home (to Berlin?)."[39]

The impossibility of retaining Stein while still dependent upon Napoleon's favor was made still clearer to Frederick William by the course of affairs at Erfurt. The hopes based upon Alexander's intercession proved futile. Napoleon would not even receive Goltz until the treaty was ratified. Without the knowledge of Stein and his group the Prussian king authorized the ratification of the humiliating treaty of September 8. Stein learned of it only from the dispatches coming from Erfurt. Goltz was then received by Napoleon, but the conqueror's language was such that Goltz reserved for an oral report the substance of the interview with the exception of one point. In a private letter to Stein, October 9, couched in the friendliest terms, Goltz advised the minister for his own good to put his

[36] *Pub. a. d. preuss. Staatsarchiven,* Vol. 75, 179-180.

[37] Lecestre, "Lettres inédites de Napoléon Ier," I, 238; and goes on "Ces Preussiens sont le pauvre et misérable gens."

[38] *Ibid.,* I, 238-239.

[39] Corr. de Napoleon, XVII, 503.

estates in the hands of his wife and children to avoid sequestration, and for the good of the Prussian state to retire, in appearance at least, from office. Stein could leave a trusted adherent in charge, one upon whom he could rely to carry out the reforms and take Stein's advice. This Goltz thought must be done, but not before his return. To the king Goltz reported on the same day: "The prejudice, distrust and hostile opinion are still in no sense removed, and a terrible outbreak against Baron vom Stein proved to me that only the consideration due Russia prevents extreme measures."[40]

It seems clear that from this time forward Stein recognized that if the policy of adhering to the French alliance was fixed, his retirement must follow, but Frederick William was as ever so seemingly undecided that a chance turn of the wheel, some new development in the relations of Austria and France, or greater complications in Spain, might again give the party of action a new foothold. Then there were the unfinished reforms to be pushed through and proclaimed. Stein with complete frankness laid Goltz's letter to him before the king with his resignation. Again, as on September 21, Frederick William declined to accept it. Not only did he temporize, but he continued to approve the reforms as Stein presented them. On the very day (September 29) on which he made his decision to ratify the Paris treaty[41] he approved the appearance in a Königsberg paper of a long letter prepared by Stein describing the reforms already proclaimed and indicating those to follow. This newspaper article, with its allusion to a representative system "which should assure

[40] Hassell, 283, footnote.

[41] Stein did not oppose this. Pertz, II, 257.

the nation an effective participation in legislation," may be called the first outline and promise of a more democratic government for Prussia.[42] A month later (November 6) Stein sought to commit the king and future ministers to this program by a public proclamation over the king's signature, but Frederick William would have none of it, and yet on the following day he refused Stein's proffered resignation for the third time. The situation was so strained that Stein hastened forward all his plans. On October 24 the edict against compulsory membership in the gilds was proclaimed. Four days later Stein's hastily outlined plan for a reorganization of the central government providing for a privy council including members without portfolios was approved. It was as such a member that Stein hoped to retain a place of influence and the possibility of carrying forward his plans. On November 19 the king gave his formal signature to the ordinance for the reformation of city government. The last and crowning measure reorganizing the privy council under the presidency of the king and subordinating to its the ministry was signed on the very day of Stein's fall, November 24, but never became operative.

On the same day Stein signed a review of his ministry, which also pointed out the steps still to be taken to fulfil his plans for a social and political reorganization of Prussia, where all classes coöperated, where justice, education, and religion were the interests of a state directed by a monarch who could consult and give force to the will of the nation as expressed in a national representative assembly. This document

[42] Text in Pertz, II, 241 ff. See also A. Stern, "Abhandlungen und Aktenstücke zur Gesch. d. preuss. Reformzeit," pp. 145-228.

was written by his subordinate Schön, an able but doctrinaire disciple of Adam Smith, who in his later years came to think of himself as the real instigator of great things. In this case he had phrased what Stein had probably hoped might be a royal proclamation. Schön and the liberal group who were being left leaderless were undoubtedly anxious that the achievements of the immediate past and the program for the future and their own activity might be covered once for all by the great name of the departing minister. Stein had as little objection as did Washington when Hamilton drafted a farewell address for him. He revised Schön's draft and signed it on November 24. This "Political Testament" was circulated among the chief officials, but not published until 1817, when the same liberal forces that urged its preparation were making a losing fight against the reactionaries.[43]

The abrupt ending of Stein's first ministry was like a bolt out of the blue. But of his second and greater ministry of fourteen months the last two months had been both a struggle against the inevitable and a preparation for it. The determination of Stein's fate had been partly in his own hands. He had made his first great mistake in remaining through those long months of waiting in Berlin. He had returned to Königsberg empty-handed to find that opposition, hitherto cowed, had raised its head. Then he and his friends had plunged into activities unsanctioned by the king which amounted almost to inciting revolution. They were staking everything on the possibilities of an alliance with Austria, which they thought was about to follow the Spanish example in a national uprising against

[43] Text in Pertz, II, 309-314, and "Aus den Papieren Schön's, III, 220; translated in Seeley, II, 286-289.

Napoleon. And hardly a move they made or a letter they wrote but was betrayed to the French authorities in Berlin by the elaborate espionage system. Before Koppe left Königsberg with the fatal letter to Wittgenstein, his movements were foreshadowed, and during his stay in Berlin a renegade German spied upon his movements and knew from servants the day of his departure. And yet too much must not be made of the letter. It was simply indicative of the recklessness and political unreality of a group that was seeking funds with which Götzen might erect arsenals and buy arms for an uprising in Silesia, and had instructed him to have the nobles arouse the peasants for revolt and to sound out the Austrians on the subject of an alliance which the king had disapproved. With equal irresponsibility Götzen talked to the Austrians of factions at the Königsberg court whose heads must fall, naming Kalckreuth, the king's friend, as the first candidate for the block. Now the Austrians were not ready for war and they had no inclination to strike hands with such unauthorized revolutionists. Stein, who had a better grasp of the situation and the sobering sense of responsibility, was all too deeply involved in these plans, but in no sense can he be held responsible for all the violent utterance of the party of action. Indeed he had his own troubles suppressing such movements as that which originated in Berlin to send the great theologian Schleiermacher to Königsberg to discuss plans for an uprising.

The whole impossible scheme of summoning Prussia to revolt was definitely repudiated when the king ratified the treaty of September 8 and rested contented with the slight modifications which Alexander obtained. The renewal of the French-Russian alliance on Octo-

ber 12 and the postponement of Austrian action simply left the Prussian king no other course than that of placating Napoleon by strict adherence to a pro-French policy. Under such conditions Stein's retirement was only a question of time.[44]

The party of opposition in Prussia and at the court in Königsberg was determined that that time should be short. Like the king himself they had half feared Stein and knew not how to begin an open attack on a man who was a greater moral force than the sovereign himself or the measures he proclaimed from the foot of the throne. All the sycophants at court who had been of the party of Haugwitz and Lombard hated him and lurked behind his back. All the half-reformers murmured at the radicalism of measures that went to the very bases of the nation's economic and political structure. The legions of inefficiency in bureaucracy and army ran to cover and hurled the barbed arrows of their malice from the shelter of the great names of such sturdy defenders of the old order as General York and Colonel Marwitz. The nobles rallied to the defense of the old Frederickian state of which they had been the chief pillars. Revolution and demagoguery were mild words in the vocabulary with which they pictured the new order. Stein faced them and cut them to ribbons with his sarcasm and hatred of sham, or stung them to voiceless fury by silent contempt. He neither could nor would attempt to win them over. He was unfortunately too content to have their fear. Only those who saw his vision rallied steadily to his support. Many who but half saw faltered and fell away. The

[44] Napoleon kept in touch with affairs in Berlin and Königsberg through Davout. See Mazade, "Correspondence du Maréchal Davout," *e.g.* II, 320 ff.

folly of the intercepted letter and of the plans for a national uprising gave the opening for which opposition and half-hearted support had waited. Friends of his success like Altenstein and Goltz were easily convinced that his usefulness was ended. Madame Berg, the friend of his youth and his advocate at court, joined his critics. Old Madame Voss, chief lady in waiting to Louise, had never really liked him, and her perilously active tongue clattered busily in the queen's ear. Even Louise, whose greatest service had been to make Stein's ministry possible, yielded at last. Stein had too little of the courtier to spare her feelings on occasion and too little of the Prussian to put the Hohenzollern dynasty above the interests of a liberated Germany. His puritan austerity cut across the little pleasures which meant so much to Louise. The projected visit to St. Petersburg seemed to him a waste of funds, while the queen longed for it as a break in the monotony of her existence at Königsberg, without any of the light and life and gaiety that might be found on the banks of the Neva.

The deciding thing for both king and queen was the two secret interviews with Hardenberg, their real favorite and chief reliance, on November 10 and 11. Hardenberg had become convinced that in the existing diplomatic situation Prussia could not be directed by a man to whom Napoleon was hostile. He had urged Stein's appointment but he now felt that the international situation made his continuation in office impossible. These and other views he summarized in a memoir submitted on November 12. On November 18 Goltz arrived. He had stopped in Berlin on his way back from Erfurt and was primed with all the hostile utterances of Napoleon's representatives in that city. The burden of his message was that Stein must go.

The logic of the relations with Napoleon, the hope of French evacuation, the possibility of the court's return to Berlin, the nobler treason of being willing to stake a Hohenzollern throne on German liberation, the hearty hate aroused by reforms both proclaimed and promised, the advice of Hardenberg and the king's hope that he might replace Stein, the poisoned venom of court intrigue, the uneasy sense of a monarch in the presence of a sovereign minister—all pointed toward the road to retirement which Stein had thrice offered to take. On November 24 his resignation was accepted. On December 5 he left, "taking much with him—the loyalty of all upright men."[45] "It may well be said that all noble spirits who were devoted to the king and loved their Fatherland mourned deeply."[46] "He who bears himself as Stein has," writes young Clausewitz, "has won me forever and I would honor him even if he were my personal enemy."[47]

What about the court he left behind in Königsberg? Since it is finally free of Stein, "the court has assumed more of its own real character and everything is more amiable and cheerful; balls, charades, and the theater are the order of the day."[48] "The state is forgotten, we live entirely in a journey to St. Petersburg."[49] The unbending, old military junker, General Yorck, rejoiced that "One senseless head is broken and the rest of the viper's brood [of reformers] will soon dissolve in its own poison."[50]

[45] "Aus den Papieren Schöns," II, 53.

[46] Schön, I, 51.

[47] Schwartz, "Clausewitz," I, 323; *cf.* also pp. 309 ff. A poetic tribute to Stein is quoted in Bassewitz, "Die Kurmark Brandenburg .... 1806-1808," I, 473-474.

[48] Schwartz, *sup. cit.*

[49] Schön, II, 64.

[50] Droysen, "Yorck," I, 162, 10th ed., Berlin, 1897. See also Granier, *sup. cit.*, and p. 321.

CHAPTER VI

The Prussian Peasantry before 1807

With the passing of Stein, the minister, there remain to be considered the measures with which his name is connected. Were Stein himself to read his own biography, the chapters devoted to his social reforms, to the establishment of self-government in the cities, the reform of the central administration, and the largest and most pressing problem, that of fusing the people, the bureaucracy and the army into a national state, would be the only chapters he would read with interest. In him at least the author would find one reader who would not complain that the personal element was subordinated in the difficult task of describing a complex social, military and political transformation. No one would more quickly approve the sinking of the man in his greater self—his work—nor more justly appreciate the manifold forces and active predecessors and colleagues, who made possible the preparation and consummation of the reforms connected chiefly with his own name.

In beginning the work of regenerating the Prussian state, Stein was freed from certain of the tasks which often consume the energies of reformers. He did not have to secure a parliamentary majority or summon any estates-general and determine its membership and method of election. He need only speak in the name of and by the authority of the king.

The Prussian monarchy embodied in the Hohenzollern dynasty possessed at the opening of the nine-

teenth century, in theory at least, untrammeled authority over the complex of states which stretched from the Memel to the Meuse. The aggressive absolutism of the great elector in the seventeenth century and the ruthless policy of King Frederick William I had laid a heavy hand on local and provincial institutions, and substituted for the petty provincialism of the local diets and cities the authority of the only centralizing power then possible, that of the absolute monarch served by a bureaucracy and an army that knew no allegiance but to the king. Frederick the Great had accepted the heritage, perfected it, given it a political philosophy, astonished Europe by its exhibitions of vigor and tenacity, set it new tasks as a European power and glorified by his genius the work of his ancestors. In thus developing the central administration and the central military establishment as the instruments of the sovereign will to the detriment of provincial autonomy after 1640, the great Hohenzollerns were not executing measures conceived solely for dynastic glorification or the elevation of Prussia to German leadership so much as they were giving the answer of strong-willed, clear-headed, self-seeking rulers to the conditions upon which national preservation was alone possible after the Thirty Years' War.

It was Frederick the Great who more than any previous ruler consciously shaped the policy of the state toward the three great social classes—nobles, burghers, and peasants—and defined for each its place and part in serving the state. Despite the essentially greater and more important organizing work of his father, there is a sound justification for the term "the Frederickian state." As it is with the Frederickian state and its political, social, economic and military organization

that the men of the era of reform had to do, an elementary conception of it is necessary to an understanding of their attempts at its modification..

The Prussian monarch was absolute, and his sovereign place in the state could not be disputed by any other national institutions, for there was no other that was essentially national that had not been created by him to serve the central power and, like the army and bureaucracy, make effective his decrees and policies. Only the subtle influence of royal officials and favorites, the inertia of class prejudices, prescriptive rights, and historic and provincial differences could bar the execution of the king's will in any field or phase of government. These were powerful factors in Prussia, as they were in the theoretically absolute French monarchy before 1789. They often rendered futile the proclaimed will of the sovereign or checked him in the initiation of large measures for the general welfare. Yet all the traditions of Prussia and of the house of Hohenzollern made them less a factor than in any other western European state at the opening of the nineteenth century. To the absolutism represented by the utterance of Louis XIV, "I am the state," the greatest of the Hohenzollerns had opposed the absolutism of the sovereign in the service of the state. "I am the first servant of the state." Such was Frederick's definition of his function. Its corollary was that every subject was also a servant of the state, and it is the rigid insistence upon this corollary that gives to Prussia its distinct character at the close of the eighteenth century. The duties to be performed by the subjects were not determined by any considerations of the relations of individuals to a government organized for their protection and benefit. They arose rather out of membership

in one of the three chief social-economic classes and were determined, in general, by the part assigned that class in a state whose history and contemporary problems made it essentially a military state.

As was natural in a military state, the class from whom the king drew his officers was by far the most important. That class was the Prussian nobility. Only by a long drawn out struggle were they forced into the king's livery, but steadily and skillfully successive Hohenzollern rulers opened to them new careers as they closed the old ones dear to the turbulent feudal and narrowly provincial barons. The loyalty and devotion of the nobles to the sovereign were repaid by a preferred claim to state offices, ending under Frederick the Great in a practically absolute monopoly of the officers' corps in the army, and in the diplomatic and official life, and by tax exemptions and the control over the peasantry on their estates in matters of labor conditions, justice, police and religion. The sovereign's power in its relation to individuals on the lords' estates ended with the lord himself and the duties exacted of him, but it must be pointed out that those duties were exacted. In Prussia there was no Versailles with its idle, privileged nobles, with no duties except to attend royal levees and balls. The roll of officers fallen in the wars of Frederick the Great was the Prussian nobles' reply to any criticism of their privileged place.

The Prussian nobility was then distinctly the class upon which the monarchy must depend, and its preservation as a class was the same problem and of the same importance as the preservation and devotion of the officer corps of the army. Over this nobility there lingered no shimmer of medieval chivalry. It had

never needed tournaments for practice in arms. No ivy-covered towers and stately ancestral halls with vistas of meadows or vine-clad hills relieved the monotonous and sandy wastes of the Mark of Brandenburg or reared themselves in the swamps around the Mazurian lakes of the Duchy of Prussia. Not because the noble did not live on the land, for he did. The Prussian was essentially a landed noble, and his holdings and the royal domains accounted for practically all the tillable area. But he was not wealthy. He had to direct his own estates and when not in military or diplomatic service he was giving himself to the monotonous tasks of agriculture. There was little or no absentee landlordism. There was no court or social capital to draw him away, no revenue to be had except by the closest attention to a soil which yielded grudgingly to the husbandman's sturdiest efforts. The preservation of this class was then of the first importance in a state which was predominantly agricultural and military. Its lands were exempt from taxation, except in East and West Prussia; the estates could not be diminished by sale, without royal consent, to other than nobles, and Frederick the Great himself refrained from extending his own domains at the cost of any temporarily embarrassed noble. On the contrary, every consideration was to be given the noble in controversies between him and the state's officials. Nobility was of course hereditary, as was membership in the other two classes. There was thus a survival here of the medieval social organization with a distinct tendency towards the organization of society into castes.

As Prussia was primarily a military state depending chiefly on agriculture, the monarchy had also definite reasons of state for interesting itself in the

preservation of the peasantry as a class. As an individual the peasant was less the subject of the king than he was of the lord of the estate, and it was to the latter that he gave his oath of allegiance. But as a class which filled the ranks of the army so far as it was made up of Prussian subjects and not mercenaries, as a class which bore the burden of land taxation shifted from the noble, the peasantry was the subject of solicitous interest on the part of Frederick and his successors. Their chief effort was to prevent its utter exploitation and degradation by the noble landowner to a serfdom that might be almost slavery. But all the much vaunted *landesväterliche* interest of the Prussian rulers had not served to place the Prussian peasantry, at the death of Frederick the Great in 1786, in nearly as advantageous a position, as a class, as was the French peasantry at the outbreak of the French Revolution in 1789.[1]

The task of describing accurately the condition of the peasantry in Brandenburg-Prussia before 1807 is difficult, but necessary if one is to understand properly the success and limitations of the reform most closely associated with Stein's name. The land we call Prussia was a patchwork of many territorial conquests and inheritances.[2] Some of the provinces had but recently

[1] The reader who finds any novelty in this statement should reread a recent summary of modern scholarly views of France before the Revolution, such as that in the last volume of Lavisse's great co-operative history of France. He may also reflect on the suggestion that revolutions do not necessarily break out first where conditions are the worst or are hopeless, but are quite as likely to come where progress and reviving hope find further advance barred by some outworn and socially indefensible institution, or by class privileges unearned by the performance of countervailing duties.

[2] The official designation until after the Reform Period was not Prussia but "all the provinces and lands of his royal majesty," the King of Prussia.

come under Hohenzollern rule. Each teritorial unit had a long historic past differing perhaps from that of every other accretion. It is not surprising therefore if variety, rather than uniformity, is the rule in agrarian tenures and conditions. Few general statements will cover accurately the areas east and west of the Elbe, and apply with equal force to the Rhine provinces, Westphalia, Silesia, the Mark of Brandenburg, Prussia, and the Polish annexations, and to the peasants in all areas whether on private estates or the royal domains. Such generalizations if correct are not only few in number, but must be carefully worded.

The peasantry in Brandenburg-Prussia were either free or servile.[3] The number of free peasants was very small and many of these migrated into the cities. Of the free peasants still remaining on the land, the most considerable class was, that of the so-called *Cölmer,* chiefly in East Prussia. They were descendants or successors of peasant farmers brought in as settlers by the Teutonic Knights, or of colonists introduced in the seventeenth and eighteenth centuries and given special privileges as free, non-noble landowners under the law of the city of Culm.[4] Similar small

[3] General summaries with bibliographies will be found under the titles *Bauern, Bauernbefreiung,* etc., in L. Elster, ed., "Wörterbuch der Volkswirtschaft" (second ed., Jena, 1906), and in "Handwörterbuch der Staatswissenschaften" (Jena, 1891, ff.). The best brief account is K. J. Fuchs, "Die Epochen der Deutschen Agrargeschichte und Agrarpolitik" (Jena, 1898). This address is translated with moderate success in T. N. Carver, "Selected Readings in Rural Economics" (Boston, 1916), pp. 223-253. An excellent review of the literature up to 1900 is given in Conrad's *Jahrbücher,* LXXV, 337-368, 478-514.

[4] W. von Brünneck contends that the development into an allodial holding was gradual and was finished by 1685. "Zur Geschichte des Grundeigentums in Ost- und Westpreussen," pt. I., "Die Kölmischen Güter" (Berlin, 1891). It is well to remember that the *Cölmer,* though

groups in other parts of the monarchy under different names[5] formed striking exceptions to the great mass of peasantry, who were in some way attached to the soil or burdened with services that originally sprang from the agricultural tenures and customs and inhered in the land but threatened frequently to become personal obligations. If thus transformed and increased at the will of the lord they would reduce the peasant to something like the slavery found in Russia under Catherine II.

The characteristic and predominant condition was the division of the land into large holdings called estates. Their size varied. Those in the east and northeast were usually larger than those west of the Elbe, exceeding in some cases ten thousand acres. These estates or large farms were of two kinds: (1) the private estates, owned chiefly by nobles, including also those held by corporations, ecclesiastical foundations, and municipalities; and (2) those formed by leasing the land in the royal domains. These domain lands comprised about one-fifth of the entire area of the kingdom and were leased out for long terms. The general conditions upon them conformed to the customs of the region as to services and payments from the peasant, but were subject to modification by the terms laid down in the lease by the royal will. These royal domains were so entirely in the king's control that up to 1807 the chief efforts at reform by royal decree had been in improving peasant conditions on them, and trusting

they could sell their land, had to have the consent of the lord when their holding lay within his estate. *Cf.* Hans Plehn in *Forschungen zur Brand.-Preuss. Geschichte,* XVII, 111 ff.

[5] *Cölmer* was, however, the usual name applied to all free peasants by whatever right the status was obtained.

to the influence of such a good example on the neighboring private noble landowners, but with little practical result.

The lands in these two types of estates were divided between the small holdings of various kinds assigned to the peasants, and the land retained directly by the lord and cultivated for him, chiefly by the forced labor of these same peasants. These labor services were of two kinds: farm labor in tilling the fields and gathering the crops, and compulsory domestic service, which was often extended to include agricultural day labor. This so-called domestic service was exacted of the minor children of the peasants, usually for a period of three years, but the term was generally extensible to the time when they married and settled down. There was frequently a small payment that might be called wages, but the institution was justifiable only as a sort of apprentice training in the tasks the younger peasants might have to perform later for themselves. As the obligation to render up the young men and women for this service sprang from obligations attaching to the soil, it might even be required by one peasant of another in certain cases, or the superfluous services of this type would be assigned by the lord to some peasant who could utilize them. The evident advantage of this system was that it held the minor children to the estate at the age when they were most likely to break away. This was a real gain to the landlord in an agricultural state, where the problem of farm labor is always uppermost, and it served also the purposes of a military state which under the "canton system" assigned a certain number of households as the recruit-

ing ground for a royal regiment.[6] It may be added that this particular institution of forced domestic service (*Gesindedienst*) as it existed in Brandenburg-Prussia was of comparatively recent origin, having developed, evidently, since the end of the Thirty Years' War.

This assigning to the lord the services of the most capable of the peasant's half-grown children was often the subject of just and bitter complaint. The small wages, not sufficient to clothe the housemaid, the usual complaints as to the relation of low wages to morals, the insufficient food, the long delays invented by the lord to prevent the marriage and migration of domestics whose services were valuable, thus holding them sometimes, as in Polish Upper Silesia, for periods of from six to ten years, show the darker side of the picture.[7]

The forced domestic service for minor peasant children selected by the lord was similar to his rights over the peasant parents and their labor. The great mass of the peasantry in Brandenburg-Prussia were in a condition of hereditary subjection. The general designation for their status in the eighteenth century was *Leibeigenschaft,* and the other terms used, such as *Erbunterthänigkeit* and *Gutsunterthänigkeit* in the east, and *Eigenbehörigkeit* in the west, although in theory and historical origin different, meant in practice essentially the same thing, *i.e.,* that the peasant was bound to the soil, that he could not escape from the

[6] For an interesting study of this institution in the Mark of Brandenburg, *cf.* E. Lennhoff, "Das ländliche Gesindewesen in der Kurmark Brandenburg vom 16. bis 19. Jahrhundert" (Breslau, 1906—Heft 79 in Gierke's "Untersuchungen," etc.).

[7] G. Knapp, "Die Bauernbefreiung und der Ursprung der Landarbeiter in den aelteren Teilen Preussens" (Leipzig, 1887), I. 67-78.

class into which he was born, that he must perform certain services and make certain payments and, as we have seen, render up his minor children for menial service. In return for this he usually had possessory rights in a piece of land to be cultivated to his own account. Now the amount of the land and the character of the tenure, two exceptionally variable things when taken alone, were combine to create a multiplicity of peasant classes; one summary for the Mark gives the servile dues of fourteen kinds of peasants. Add to this the fact that the same class and service and holding had a different name in the main areas of Brandenburg-Prussia, and the danger of discussions which arise only from differences of terminology is evident.

The only really necessary consideration of geographical variations demanded in this account is the general difference prevailing between conditions east of the Elbe and those to the west, a division line, it may well be noted, which corresponds to that separating the older, thoroughly German, area in the west from the region east of the Elbe which had been conquered from the Slavs. The Elbe divided also the western regions of advance and profitable agriculture from those to the east which had more recently become profitable when farmed upon a capitalistic scale. There was, of course, an intermediate area partaking in part of the characteristics of both east- and west-Elbe systems of land-tenure (Lauenburg, the Old Mark west of the Elbe, the northeastern part of the present Prussian province of Saxony, and the present kingdom of Saxony). The general rule, however, was that the condition of the peasant grew more hopeless the farther east one went, till it reached practical slavery in large parts of Russia in the latter part of the eighteenth

century, and better the farther west one went toward the Dutch frontier. An east-and-west line drawn within Prussian territory showed conditions at the extreme southeast, in the Polish parts of Upper Silesia, and in the northeast, near Swedish Pomerania and Mecklenburg, worse than they were in the central Mark of Brandenburg.

West of the Elbe, in the older regions, serfdom had constantly grown better and milder as the lord had gradually divested himself of his rights in return for payments yielding a cash income or by mere lapse, and the peasant had arisen to a condition resembling freedom and farming on shares. The remnants of the old duties, now often exacted by some one other than the lord, still remained to annoy and to make the peasant's position under several patrons more complicated, even if less oppressed, than that of his fellows east of the Elbe. In the general region known as Westphalia the rights once concentrated in the hands of one lord had passed into several hands. The peasant might owe to one lord for his landholding, to another for the administration of justice, and be obliged to pay to a third and fourth some remnant of a medieval obligation, all of which annoyed and confused him in proportion as he rose nearer the condition of freedom. The Westphalian peasant's loud complaints, his ability and willingness to petition for redress, and the presence of men even from his own class who could voice his complaints, must be taken not as testimony of a situation intolerable in itself, but such only by comparison with what his Dutch or Hanoverian neighbor had attained and what he felt he might easily attain himself.

In Cleves and the county of Mark the peasant was practically free so far as his personal status was con-

cerned. The condition in Minden, Ravensberg, Tecklenburg, Münster, and Paderborn was far less satisfactory, for the peasant in these provinces, especially Minden, labored under heavy burdens.

Five things distinguish, however, the position and life of the whole peasant class in the Westphalian region. They did not dwell in hamlets on the estate but apart on their individual holdings. The little village from which the peasant went forth each morning to perform his day's labor for himself or the lord was the exception here as it was the rule in the east. In the second place he was here a citizen of the state, or rather a subject of the king and not of the lord. Indeed he might, and more frequently than in the east-Elbe area did, have a non-noble landlord. There was here the same prohibition of the sale of noble lands to burghers except by royal consent, but the western noble was not so class-conscious or strictly punctilious in observing the Frederickian rule in this matter. Indeed his greater readiness to convert land or feudal rights into cash, that he might live where he chose, explains the complication of several masters alluded to above. It is this complex of archaic manorial rights and masters which distinguishes the western agrarian system (*Grundherrschaft*) from the simpler, more modern, eastern concentration of all manorial rights together with agricultural and political sovereignty in the hands of one noble landowner (*Gutsherrschaft*). Thirdly, the Westphalian peasant, by whatever name he was called,[8] is practically a renter paying in services and in kind, or in cash, or both. He generally held his land hereditarily, by a tenure that is fully exemplified in the neighboring Hanover under what was called *Meier-*

[8] *Eigenbehöriger* is a common term.

recht. There are here, as elsewhere, the definite obligations which had sprung from the soil and persisted as assured means of securing labor for its cultivation. The peasant cannot leave his holding; his marriage rights and those of his children are in a degree subject to the lord's will; there is forced domestic service; and he gives unpaid labor on the lord's land for a number of days not to exceed three per week. But these, although they remove him from the class suggested to our minds by the word "renter," differ from the same services in the east, in what in this summary constitutes the fourth distinction between east and west, namely, that these services or obligations are in general fixed by law or by the terms of the peasant's tenure. To use the German phrase, they are *bemessene Dienste.* The peasant cannot be held to work for the lord except the stipulated number of days. If his children are forced into domestic service, it is for a period frequently no longer than six months. If the lord has justiciary and police control over him, it is only when this concession has been given him by the king. In general, the Westphalian landed noble is, throughout the eighteenth century, less and less a dominant figure in the agricultural and social economy. His own holding in his estate to be worked by peasant labor was but a small fraction of the land which was held and tilled by the peasants on their own account. He could not dispossess them except for good and legally demonstrable reasons, and, it must be added, they in their turn could not transfer their holdings or mortgage them without his consent. The peasant holding was indivisible, and the heir paid his brothers and sisters some kind of an indemnity when he entered into possession. Lastly, the peasant in the Westphalian provinces was much

freer to carry on some industry in his home. The artificial concentration of all forms of manufacture in the towns, which was characteristic of the east-Elbe region, was one of the Procrustean regulations which the Berlin officials had attempted in vain to force on Westphalia when it was under Stein's control.

There were three payments that constituted the real distinguishing marks between the peasant who was essentially a renter by *Meierrecht* and those remnants of a servile peasantry known as the *Eigenbehörige.* These three payments were the so-called *"ungewisse Gefälle."* The first was exacted when the peasant or the son who was his heir (in some provinces the youngest son, in others the eldest) married. As under the Westphalian law the wife acquired rights in the husband's estate, the lord had made this the basis for his consent to the peasant's marriage and for demanding a money payment (*Weinkauf*) from the bride. Sometimes this was so exorbitant as to prevent the marriage, but if the resulting postponement lasted longer than two years the peasant could demand a legal adjudication, and the amount would be fixed at a reasonable sum. The second was the so-called *Freikauf* demanded by the lord when a peasant's child married off the estate and the lord lost its domestic service. The third, and the one most bitterly condemned by the peasants, was the *Sterbefall* or death due. At the death of a peasant or his wife the lord stepped in and claimed one-half of the movable property. The heir and the lord were supposed to arrange by mutual agreement what should be the payment and whether in kind or money. As a result, the peasant was not allowed to make a will or bequeath his property *mortis causa,* although when in health and strength he might

give away not more than one-half of his movable goods. These payments were a very heavy burden upon the peasant, and the chief agitation among the Westphalian peasants was directed toward securing their abolition.[9] Stein gave the movement his hearty support, but the slow course of affairs in Berlin brought the first measures of relief for the western provinces in 1805, after eight years of consideration. In the meantime, the private peasant had seen his neighbor on the royal domain lands advance to fixed services, then to fixed tenure, and ultimately to real ownership of his holding. As the noble landlords felt no necessity of following the royal example, and the domain lands were, moreover, small and scattered in the west, the conditions among the private peasantry here were not affected until the regulatory act of 1816. The Edict of Emancipation in 1807 would have had little significance for the Westphalian peasants in any case, and when it was issued they were under the French rule and enjoying such freedom and advantageous tenure of their land as they had not been able to obtain while under Prussian rulers.[10]

[9] The last two payments are found chiefly in Minden and Ravensberg. They are mentioned but not fixed in amount in the *Eigenthumsordnung* of 1741 for these provinces. *Cf.* Brünneck in *Zeitschift der Savigny Stiftung*, XI. 103 ff. *Sterbefall* and limitation of testamentary disposal of private property did not obtain east of the Elbe and the Allgemeines Landrecht of 1794, section 267, abolished all limitations on testamentary disposal. Quoted by Brünneck, *op. cit.*, XI. 143. In medieval France the corresponding rights of the lord over his serfs were *mariage, formariage* and *mainmorte*. (See A. Luchaire "Manuel des Institutions Françaises, Periode des Capetiens Directes," 299-303.)

[10] The three payments discussed above were not abolished even under the French régime. *Cf.* E. Meier, "Französische Einflüsse auf die Staats- und Rechtsentwicklung Preussens im 19. Jahrhundert" (Leipzig, 1908), II. 289-290.

The peasants' status in the eastern provinces was a devolution since the middle of the sixteenth century from a condition more distinctly one of independence and untrammelled possession of land to something for which the courts, the pamphleteers, and the reformers of the eighteenth century had revived the hateful old German word *Leibeigenschaft* (slavery). The condition which it covered, even if as harsh and exacting as slavery, was certainly not legalized slavery. In the east, then, it was a newer condition tending to grow worse through the combination of all powers over the peasant in the hands of an active noble who directed his own estates and, stimulated by the profits of larger capitalistic agriculture, stretched every claim into a right, exacted every right, and seized every opportunity to absorb peasant holdings into his own estate. This exploitation of the peasant, this tendency to pry him loose from the holdings by reason of which he performed certain labor or paid certain dues, threatened to produce real slavery and give the lord what he desired, a landless and utterly dependent labor supply.[11] It was here that the monarchy stepped in to preserve the peasantry as a class with rights in the soil. Many an edict of the eighteenth century, especially after the important one of 1749, forbade the absorption by the lord of the peasant's holdings. The very frequency of these edicts to prevent the expropriation of the peasant class (*Bauernlegen, Einziehen*) is quite as much an evidence of the inability of the monarchy to control it wholly as it is proof of the king's interest in the peasants as a class. The royal interest was not so much benevolent

[11] There are rare but authenticated cases of the sale of servile peasants in the Mark. It was common in the neighboring Swedish Pomerania. *Cf.* Conrad's *Jahrbücher*, LXXV, 365-367.

as it was military. The peasantry, as a class, must be preserved from utter degradation if they were to make acceptable soldiers.

Parallel with these efforts of the monarchy are the decrees improving conditions on the royal domain. Before discussing the very considerable reforms here effected, it is necessary to consider the condition east of the Elbe of the "private peasants," as they were called, those whose holdings were part of some great manor or estate.

The central fact in the whole social and economic structure of the great eastern agricultural provinces of Brandenburg-Prussia was the estate of the noble landowner, with its subject peasant classes bound to the soil and dwelling in little villages of one hundred to two hundred or more souls. Usually the estates, especially in Brandenburg, were not so large that they could not be managed from one center, the modest manor house, which looked like anything but our picturesque conception of a castle, and sometimes could hardly be distinguished from a peasant cottage. In the Prussian provinces farther east the estates ran much larger, with a score or more of hamlets on one estate, which for better management would be divided into several large farms.

The rule was that all who were born into the peasant class remained peasants for life. The right to purchase freedom was generally limited to the domestic service class, at the price of a year's wages, five thalers for a maid and ten for a man. The possibility of saving this amount from a like yearly wage was so remote that only those attained freedom whose families were able to contribute to the necessary funds. The great mass lived and died as they were born. None of them

escaped some obligation to a landed estate and its noble owner. Even the few free peasants were subject to him in the matters of justice and religion. Those who were only day-laborers did not work when and how they chose. The lord, or possibly some fellow-peasant with a holding in the estate, had the first claim to their services, at a wage fixed by custom. They were dwellers in the little manorial village, sometimes in huts of their own, sometimes in quarters near the so-called castle, and frequently in the cottages of their social betters, the landholding peasants. This was quite as effective for the purpose of attaching them to the soil and incorporating them into the life, customs, and duties of the hamlet or estate as though they had held a farm by some form of servile tenure. Their wages were a few groschen a day, ten for men and six for women. It is certain that on some estates the number of these day-laborers (*Insten, Einlieger,* etc.) was equal to that of the landholding peasants, and their families quite as numerous. Their condition, especially in the case of those who had a cottage and a garden for their own vegetables, was, on the whole, more satisfactory than that of the peasants who held land by uncertain tenure and rendered heavy labor dues to the lord. Yet it was the mistaken ambition of many of these cotters to rise in the social scale by taking a peasant holding with all its disadvantages. Many by painful saving were able to equip themselves to do this. Then their struggles, their final failure with loss of their savings, their drunkenness bred of despair, and their final return to their old status or a lower one as wholly propertyless day-laborers, is one of the tragedies too frequently chronicled in the records of the eastern provinces.

The prevalent system of agriculture was the mediæval three-field and strip system, with a marked tendency in the east to deviate from the latter system toward consolidated holdings in the three fields. The arable area was divided roughly into three fields, one for a winter crop, one for a fall crop, and one to lie fallow, with a certain rotation of cropping and lying fallow from one field to the other. In each of these fields there was land of two kinds, that held by the lord for operation on his own account but cultivated by the forced labor of the peasants, and the land assigned to the peasants by various tenures.[12] When this land—landlord's and peasant's alike—was in scattered strips, the cultivation of any single holding might take the peasant to a score or more of different strips scattered in the two fields under cultivation. Besides this there was the forest and pasture-land, in which the peasant had rights of pasturage and of gathering faggots and firewood, rights fixed by custom or by the character of his holdings in the arable land. It must be added that the simplicity of this complexity was undergoing marked modification in the last quarter of the eighteenth century. The improvement of agricultural methods, the beginnings of modern scientific agriculture, and the increased profitableness of the grain-trade were making it more and more evident to the lord that he,

[12] Krug, the most careful statistician of that day, estimates that in 1797, *i.e.*, at the beginning of the reign of Frederick William III., two-thirds of all the land in the Prussia state was in the hands of the peasants. Quoted by Stadelmann, "Publicationen aus den Königlichen Preussischen Staatsarchiven," XXX. 26, foot-note. Hans Goldschmidt, "Die Grundbesitzverteilung" (Berlin, 1910), p. 133, estimates that in the Mark east of the Elbe, the Neu Mark, and Hinterpommern the distribution was 6,774,000 *Morgen* of noble land and 9,346,000 of peasant land.

at least, would gain by increasing his holdings and concentrating them where they had hitherto been scattered.[13] He was using his power and superior economic position to bring this about, and on many estates the consolidation into one mass of the lord's farm-land, and into another of the strips held by the peasant, was far advanced. The four-field system was replacing the three, and on the manors in the less fertile, sandy area, where land had to lie fallow five or six years or even eight before it could produce a crop, there was inevitably the necessary modification of the usual three-field rotation.

All the peasantry in the east-Elbe area were the subjects of the lord directly and took the oath of allegiance to him. They were not citizens of the state so much as they were citizens of a particular landed estate. This estate they could not leave, for they were *adscripti glebae,—"an die Scholle gebunden,"* as the German phrase had it. Death, the purchase of freedom, or successful flight were the only avenues of emancipation from the peasant status for them or their children. Their marriage was subject to the lord's consent, and he required proof that the wife was one whose dowry, health, or power to labor would add something to the resources of her husband. No peasant could learn a trade except by his patron's consent. The soldier returned to his peasant status unless—unthinkable thing—he had become an officer. If he became a corporal or sergeant he could not be denied emancipation, but the lord's formal consent was still necessary. If

[13] Goldschmidt in his study of landholding in the central provinces makes it clear that the proportion of noble holdings, as compared with peasant, had increased despite a considerable amount of colonization by royal support and in the face of a succession of edicts against *Bauernlegen*. *Cf.* Goldschmidt, *op. cit.*, pp. 133-134.

he fled, he could be brought back. He could be whipped, mildly the regulations said, or imprisoned for a few days, or put in the stocks for a few hours for disobedience, laziness, or drunkenness. That the letter of the law regarding these punishments did not always bind the lord is most evident in Upper Silesia, where a debased and brutalized Polish peasantry could only be held to their heavy tasks by flogging. They were by general testimony the most helpless and hopeless peasantry of the whole kingdom, "little better than animals" is one careful student's descriptive phrase.[14] The peasantry were subject to the lord's justice, and this was both a source of revenue to him and the sum and evidence of the completeness of his control over them. They usually could not start a suit without his consent, and their differences with him came before the petty officials who owed their appointment to him. These officers were expected to meet certain minimum qualifications in the matter of intelligence and legal knowledge, but this state requirement could have signified little. The pastor of the church was also the appointee of the lord, as all rights of advowson rested in the latter.

There were no adequate provisions for the education of the peasantry. The teacher was almost uniformly some one of the artisans in the village, to whom teaching was subordinate to the pursuit of his trade. One case is reported where the teacher was forbidden to tan sheeps' hides in the school-room because the stink was quite too much for the children to stand. Frequently

[14] John Quincy Adams, who spent three months in Silesia in 1800, published a fragmentary description of conditions in the *Portfolio*, a Philadelphia weekly, in Vol. I, 1801. It was republished in England in book form and translated into French. It is not included in his collected works.

what little attempt at teaching there might be was by the wife, and the husband was thus left undisturbed in his labors. Often he was an old soldier or state pensioner, who, having served his country once at the risk of his head, did not feel called upon to subject it to any further strain. The wages were pitiful. A few thalers from the school fund, a few more from the peasants and from the lord, made up a total yearly wage of about ten to twenty or thirty dollars. In some regions the schoolmaster had the right to a cottage, a garden, and the pasturage of a cow and a couple of sheep, hogs, and geese, and was always exempt from taxes and labor dues. In other cases he moved around from house to house and from hamlet to hamlet, for usually the services of one teacher sufficed for several villages. There was no special school-room. The artisan's workshop or home, or a room in some peasant home where the teacher was quartered, was all that could be expected. The school term was limited to a few months in winter. Attendance was irregular, for boys did not enter in some cases until about ten years of age and girls not until twelve, and at these ages they were available for the labor dues their parents must render. The educational results were almost *nil,* for the teachers themselves were usually woefully ignorant, nor did anybody in power seem interested in improving the rural educational situation. The lords felt that an ignorant labor supply was less likely to seek to better its condition by demands upon them, and the state was able to control such a peasantry in the army by a brutal discipline that would be applied to natives who were neither free nor intelligent citizens quite as easily as it could to the foreign mercenaries.

What has been said so far relates largely to the

personal status and social condition of the peasantry. Their economic status and relation to the land they tilled remains for consideration. Disregarding the few free peasants, it may be said that the peasant of whatever type was never a landowner on private estates. He was simply a possessor. He enjoyed the usufruct of a certain part of the manor. From this landholding, however various its forms, arose inherent obligations to be met with labor and payments in money and kind. No change in the peasant's social status by emancipation would modify in any way his legal status as a tenant or possessor of land, nor lessen his dues or make his tenure any more secure. It is extremely important to keep this in mind, for the following paragraphs describing briefly the peasant tenure, and services arising from them, deal with matters which though important in completing the picture, and vital to an understanding of Prussian eighteenth-century agricultural economy, are not matters directly affected by the Edict of Emancipation most closely associated with the name of Baron Stein.

The east-Elbe peasantry may be divided into classes according to the size of the holding. The range is from the landless and utterly dependent servile day-laborer to the "full peasant" farming on his own account an area sufficient to support several peasant families, as much as eighty acres or occasionally twice that amount, and showing a considerable degree of prosperity.[15]

[15] Meier, quoting from Lehndorff, describes the wedding celebration in 1763 of a servile peasant not far from Magdeburg. The three hundred guests present were fed carp to the amount of fifteen hundred thalers, brandy costing one hundred and fifty thalers, with forty-two capons for bouillon, and fourteen calves. The bridal furnishings cost three hundred thalers, and the dowry amounted to fourteen thousand thalers. "Französische Einflüsse," II, 40. This case is such an undoubted exception that it may be disregarded historically.

The essential grouping in the east, from the standpoint of the agrarian reforms inaugurated by Hardenberg in 1811 and 1816, is based not on the size of the holding but on the form and security of the peasant tenure. Omitting again the free peasantry or *Cölmer*,[16] the tenure ranged from a subject peasantry, who might be warned off at six months' notice and were held to labor on the lord's land for any number of days per week, to the renter for a term of years with all conditions fixed in a formal lease that gave him practically a life tenure with hereditary rights for his children. This latter class, although rendering some labor service to the lord in addition to their money rent, was considered to be in such a satisfactory condition that no legislation affecting it was approved until 1850.

On the basis of tenure the great mass of the landholding peasants fell in the class called *Lassiten*. This group might in a very restricted sense be called copyholders. They had only the usufruct of their holding, on terms governed chiefly by custom. The lord's commanding economic and social position enabled him to introduce conditions into the customary tenure which made it increasingly burdensome to the peasant. Unlike his analogue in the west-Elbe region, the *Lassit* made but a small payment. His chief obligation was the labor services. The most favored of the class had an hereditary right to their holding. The others con-

[16] By the eighteenth century the holdings of the *Cölmer* had become so interwoven with and enclaved by the manorial estates that they did not escape some dues to the lord of the village in which they dwelt side by side with his peasantry. As their ownership was rarely documented they were in constant danger of becoming serfs and thus losing the right to migrate or dispose of their lands. In the diminishing number of cases where this type of free, non-noble landowners still dwelt together in villages this danger was much less threatening.

stituted a non-hereditary group who might be expelled for cause. Economically, and aside from the permanency of their tenure, they were divided into those who were held to hand-labor alone and those who gave labor with horses and oxen.[17]

The condition of this bond peasantry is revealed more clearly by a statement of their servile obligations than by any attempt to describe them in misleading terms of English forms of land tenure.[18]

East of the Elbe the estates were large, most of them above a thousand acres in the Mark and much larger in Prussia.[19] All the labor for the cultivation of these

[17] It is fairly clear that a very considerable proportion of the *Lassiten* were held to labor with draft animals, *i.e.*, they were *spannfähig*. It may be well to recall also that the decrees of 1811 and 1816, which really determined peasant conditions until after the revolutionary movements of 1848, dealt chiefly with the *Lassiten*. The provisions made in these edicts for transforming possession into ownership distinguish between the two classes named above.

[18] No travels of an Arthur Young, no body of documents such as the French parish *cahiers* of 1789, are at hand to use in sketching such a picture of the Prussian peasantry. An occasional unofficial phrase, such as that of Stein when he described the estate of a Mecklenburg noble as reminding him of "the cave of some beast of prey who desolates everything round about and surrounds himself with the quiet of the grave," may throw a flood of light on one part of the Germany of that day, but cannot safely be made the basis of a picture of rural life in the neighboring Prussia. The chief material used by the investigators is contained in the accounts of a few private estates, the official reports on the administration of the domain lands, royal reforming decrees that were more honored in the breach than in the observance, the reports of commissioners and officials, and last of all the Prussian code of 1794, in which, with grandiloquent phrases, non-existent slavery is abolished and the chains of serfdom are riveted on the subject peasantry on private estates.

[19] G. Cavaignac, "La Formation de la Prusse Contemporaine," I, 84-85; Max Lehmann, "Freiherr vom Stein," I, 88. K. Böhme, "Gutsherrliche-bauerliche Verhältnisse in Ostpreussen . . . von 1770 bis 1830" (Leipzig, 1902), pp. 2-3, is an investigation of four estates whose size he gives as 1,976, 33,605, 11,342, and 27,304 acres respectively.

estates was performed by the peasants. A considerable part of this labor, at least half on many estates, was furnished by the landless day-laborer or the cottager, who had no more than a garden to farm on his own account. Both of these latter groups worked for a small customary wage.

The laboring peasants gathered in the evening during working-season to receive from the lord or his steward directions for the next day's labor, which under the three-field and strip system had to be of the same kind on the same crops, chiefly barley, rye, and wheat. The next day, armed with the same tools, they gathered and, after time-consuming delays, waiting for the laggards or the distant peasants who might have miles to come, they went forth to cultivate the lord's land. If since the previous directions the weather had changed, a messenger had to be despatched to reorder the day's programme. The time left over from laboring for the lord might be put in on their own scattered holdings, but this available time was limited and variable. In the west the maximum time given the lord was approximately three days in every week; in the east this was the minimum. In some eastern regions, by the prevailing tenure, six days per week on the noble's land were exacted, leaving the peasant serf but Sundays and moonlight nights to labor on his own tract. Sometimes, as has been pointed out, this day's work was simply manual labor, but more often it was an obligation to supply horses and oxen with the necessary one or two men to drive them. There seem to have been not infrequent cases where the peasant, either because he was prosperous enough to hire labor or because he had sons, was able to meet his labor obligations and be free himself to work his own lands. The

accounts of several estates in East Prussia have been preserved. They were evidently large and well managed, and conditions upon them were much better than they were in Upper Silesia or the Polish annexations. One hamlet on one of these estates, containing six peasants, furnished annually (in forty-eight weeks, counting out holidays) 96 days with horses and 288 days of manual labor; another hamlet, with fourteen peasants, 208 days with horses and 120 days of manual labor.[20] The labor with horses meant in these cases four horses, or two horses and two oxen, with two persons to work them. In the next ten years following 1790, the amount of this labor decreased, but the money payment, which is rarely wanting at any time, rose from between six and ten thalers to from twenty to sixty thalers. Besides this, grain had to be hauled to Königsberg once or twice during the winter, a journey of from four to eight days over wretched roads. Building material had to be transported by the peasant, and one or two cords of firewood cut, and six building timbers hewn and delivered. All these tasks, and not the size of the peasant's own holding, explain why one finds more than one-third of the subject peasants east of the Elbe keeping from two to as many as eight draft animals.[21] Additional labor in the lord's mill, brewery,

[20] Böhme, *op. cit.*, pp. 12-13, 25. I have given only the number of *Bauern*. The list of inhabitants shows also hand-workers and day-laborers, but my inference is that they did not share in those obligations because they were not landholders.

[21] An inventory of the possessions of the better class of peasant on the estates mentioned shows that he owned four or five work-horses, worth in 1800 about eleven thalers each, two work-oxen worth about ten thalers each, two cows, two sheep (less frequent), a few chickens and geese, and rarely some ducks. In addition he had a *Puffwagen*, two harrows, one or two plows, one or two sledges, forks, spades, axes, etc. The total money value of the inventory is estimated as having been

and distillery are mentioned. The payment of two hens, one or two geese, and one to four bushels of grain, some yarn, flax, straw, etc., is common, but these payments in kind seem nowhere to have been burdensome or subjects of serious complaint. The advantage of the peasants on the estate cited was that the amount of their labor was fixed, and that there were also here an equal body of landless day-laborers working at a few pence per day. These were equally bound to the soil and had to offer their labor first to the lord and accept conditions that were largely of his making.

Nor are we at the end of the catalogue of the peasant's obligations, for there was the necessity he was under of accepting a peasant holding if offered him by

fifty thalers in 1770 and seventy-five thalers in 1800. *Cf.* Böhme, pp. 3, 9-11; and for a similar inventory of livestock, *cf.* Knapp, II, 270. The value of the labor outfit of lesser peasants (*Kossäthen*) is estimated at about one-half the above figures. On the estates for which this inventory is typical, the "peasants" had holdings of from twenty-one to eighty-four acres; 64 per cent of the 271 peasant holdings in twenty-eight villages were between fifty and seventy-seven acres, the normal size for this group being sixty-three acres. Thirty-four per cent had eighty-four acres each. Böhme, p. 8. Goldschmidt, pp. 53-55, estimates the average size of a peasant holding, *i.e.*, of the better class, in the Electoral Mark, at about 115 acres. The *Kossäthen* had less, but most of them in the New and Electoral Mark were *spannfähig*, but only a minority in Hinterpommern. The *Kossäthen* or *Kothsassen* seldom had horses but used oxen or cows, and their holding was about one-fourth of a "peasant's." M. F. von Bassewitz, "Die Kurmark Brandenburg . . . vor dem Ausbruche des Krieges 1806" (Leipzig, 1847), p. 21. Knapp insists that the *Kossäth*, although he might be *spannfähig* and his holding as large as that of a "quarter peasant," never had it located in the general tilled area (*Flur*), but in the field-garden (*Wurthe*) between the masses of cultivated land (*Gewannen*), or in the fallow fields often used for vegetable or forage crops. He stood lower in the social scale than the *Bauer*, and paid no land tax (*Contribution*). There were also half and quarter *Kossäthen*, etc. Knapp, I, 12. The term and status of the *Kossäth* suggests an analogy with the *cotsetus* (cotter) of the early English manor.

the lord on the same conditions exacted of the last tenant. Government regulation constantly sought to prevent increases of peasant obligations, but without uniform success. He must use the lord's mill, and, sometimes to the peasant's own moral and physical undoing, he must purchase a fixed quantum from the lord's brewery or distillery. The payment of the government land tax (*Contribution*), from which the lord was almost wholly exempt, fell upon peasant holdings alone, and meant five or six thalers annually out of a painfully limited income. Then, as a further service to the state, in addition to the labor for the lord, the peasant and his draft animals were subject to army transport duty or to furnish relays for the king on his journeys. The former task was burdensome during maneuvers or actual war, and the latter subject to abuses when indifferent officials ordered relays days before the king arrived, and thus wasted the peasant's time.

The reference already made to the existence in the Mark, particularly, and in East Prussia of estates worked in part or even wholly by day-laborers does not prove that peasant conditions were improving on the private estates. On the contrary, the evidence seems clear that life and labor on such manors was an increasing burden since the close of the Seven Years' War. Agriculture was developing, and the beginnings of scientific agriculture under such men as Thaer and the high level of prices for grain in Prussia during the period of neutrality following 1795 were stimulants to the owners, whose land advanced in price between 1780 and 1800 from 100 to 140 per cent over the prices prevailing in the Seven Years' War.[22] The picture of

[22] Böhme, *op. cit.*, quotes Krug as bearing testimony to the same

conditions on the private estates east of the Elbe is that of an advancing, increasingly profitable, large-scale, capitalistic agriculture, with an economically and socially declining agricultural laboring class. The landowning lord was more exacting, more ready to expel a peasant upon charges of negligence, more ready to transfer an efficient and prosperous peasant to a poorer holding, which absorbed the peasant's savings and employed his energies in raising it to a higher level of production for the lord's profit. The marked effort to consolidate at least the strips owned by the lord had its darker side for such peasants as found themselves maneuvered onto less fertile areas. Wherever the lord could reduce the number of peasant holdings and increase the amount of lands farmed to his account, it meant increased burdens of labor for the remaining peasantry and the keeping of more draft animals. This fact and the want of adequate pasturage even for the work-horses and oxen meant fewer sheep and cows than well-balanced agriculture made advisable. In

thing, and says that the land after this advance was valued at about twenty-six to thirty thalers per *Culmischer Morgen*. As this land measure was about two and one-fourth times the size of the Prussian *Morgen* the price quoted would be that for about one and one-third acres. In 1804 Thaer purchased an estate in the Middle Mark on poor, sandy soil. He paid for 1044 Prussian *Morgen* and another and more fertile farm (acreage not given) what he considered was the high price of 70,000 thalers. *Cf.* T. von der Goltz, *Geschichte der Deutschen Landwirtschaft*, II, 15. There was a tremendous decline in prices, due to the devastations of the French, Russian, and Prussian armies in the years 1806-1815, and to the much increased burden of taxation. Wages fell to almost nothing, and many peasants and domestic and agricultural laborers were willing to work for food and shelter. It was requests for governmental aid to relieve this situation which led the Immediate Commission to take up the question of emancipation. Details and statistics on this agrarian crisis may be found in Böhme, *op. cit.*, pp. 61-68.

the region east of the Elbe the governmental restrictions of industry to the cities prevented those forms of domestic manufacture by which the Westphalian peasant supplemented his income.

Before considering the lord's obligations to the peasant, it is well to recall the noble landowner's dominant social and economic influence, his vital position in the politico-military structure of the Prussian state, his control of the surviving provincial assemblies, the fact that the nearest state official to whom the peasant could lift protesting hands was the *Landrat,* who was selected by the king from among the three nominees of the local nobles from their own class. These facts by their mere enumeration furnish additional material in the interpretation of any description of peasant conditions in Prussia before 1806. It is true that the lord had to fill out official forms and reports for the *Landrat,* but if these showed the same number of peasant holdings or explained changes in terms of the government regulation, the lord would be left unmolested within his gates. Here the keystone of his authority over his peasantry was the fact that east of the Elbe they were his subjects, and in all provinces must submit their grievances and petty suits to his courts. Justice administered either directly or indirectly by one who might be a party to the action was at least under the suspicion of having the bandage off one eye.

The lord was responsible for the well-being of his peasantry under this patrimonial system. He could not sell them apart from the land to which they were attached, under penalty of the peasant's emancipation. He could not expel them from a holding except for legally specified and legally proved reasons. He was forbidden to increase the obligations on any holding

even when he transferred it to another peasant. Where the claim was hereditary, he was equally bound to observe the rights of the heir whom he might select as most capable of working the tract. The peasant could accumulate private property and control this to his own advantage. The building and repair of the peasant cottages was at the lord's expense, and many and bitter are the complaints of the landowners at the negligence and indifference of the peasants, who let houses decay and tore timbers and boards out of them rather than cut firewood, and took no precautions against fire. The more ignorant and debased the peasantry, the more evident is their neglect and the resulting wretchedness of their hovels, and the greater the despair of the lord. If the peasant had bad harvests or lost his draft animals or wanted seed, the lord must come to his rescue. Firewood and building material and sometimes the more expensive tools were furnished by the lord. If the day-laborer or landholding peasant was in want, his food and means being frequently exhausted by the end of January, the lord must find him labor, give him food, or permit him to go where he could maintain himself. As the land-tax was collected by the government from the peasant landholding and not from the peasant as a person, the peasant's failure or inability to pay must be made good by the lord. These burdens were frequently a drain on the manor's income in bad years, and yet the necessity of the peasant furnished an opportunity, not unused, to subject him to harsher terms or more uncertain tenure. The support of the aged and homeless and all the care of the incapacitated, the task of the Church in the Middle Ages and of the state in our day, was an obligation upon the lord of the manor in the Prussia of the eighteenth century.

The method and spirit of discharging these obligations was a personal and varying factor that enabled the conservatives and opponents of reform to cite excellent cases of paternal interest and care over ignorant and thriftless and dependent peasants. In such cases, and there were undoubtedly many of them, the feudal patriarchal conscience and kindness of the noble casts a kindly light upon the "good old days." In individual cases peasants could and did accumulate considerable property, and yet the authenticated average net income of the peasants in Upper Silesia, one of the worst regions, was five thalers for the year's work, with twenty thalers as a maximum return, and clothing still to be bought from this. It is not surprising that there is much complaint of theft against domestic servants, and that the barns and granaries on the manor were generally well watched, especially in winter.

The peasant class as a whole in Brandenburg-Prussia, especially east of the Elbe, before 1806 was, by the preponderance of testimony, private and official, so near the margin that even under the better conditions on the royal domain lands it was a source of wonder how they met their obligations and maintained themselves. 'The evil," says Thaer, writing in 1806 of the servile peasants of the Mark, "lies deep in the present system, under which the peasant becomes constantly poorer, lazier, and more stupid. This condition will soon become unbearable as a matter of general welfare. Our servile peasant is actually an unfortunate hybrid of a slave and a free man."[23]

It must in justice be said that the nobles were not the only ones who clung to the old order. The peasants were opposed to change and agricultural development,

[23] Quoted by Knapp, "Bauernbefreiung," I, 75.

for new crops and new distributions were feared as occasions for increasing their burdens. To plow up the pasture or clear the woodland meant not only a loss to them of rights in the common land but more labor, even if the result was increased crops. The decrease of labor dues in favor of money dues brought them nearer the position of renters with no rights in the soil, and the lord nearer the position of an owner with complete command over his estates. Much as he felt the burden of his labor dues, the peasant did not welcome the substitution of rent payments.

The discussion so far has dealt with the peasants on private estates, where the noble was a petty potentate ruling over his bond peasantry. The peasantry on the royal domain land had obtained by 1806 an economic and social independence that put them far ahead of the private peasant. This activity of the absolute monarchy in behalf of the domain peasant deserves attention, for it was in itself a reform of such importance that it ranks with the Stein-Hardenberg legislation for which it was a preparation.[24]

The Prussian domain lands were very extensive except in Silesia and Westphalia. They were leased for a period of years to non-noble[25] lessees who worked them with peasant labor. But here the king's interest in the peasant class could be made more immediately effective. The agitation for the relief of the domain peasants began under Frederick I, in 1704. Frederick William I, his successor, fulminated in his usual tone against their miserable condition and denounced as "*elendes Raissoniren*" the defenses and explanations

[24] *Cf.* Hintze in *Historische Zeitschrift*, Vol. 76, 413 ff., and Lehmann, "Knesebeck und Schön," 106 ff.

[25] Lehmann, "Stein," I, 88.

made by his fiscal officials. Despite the royal willingness to sacrifice financial advantages to the improvement of the domain peasants, the ruthless drill-sergeant king never successfully broke through the official indifference and opposition. Frederick the Great was more successful. He effectively forbade the enforced domestic labor of minor children of the domain peasants in East and West Prussia and Lithuania. Four years after his death a decree in 1790 codified the rights he had established, and the domain peasants were made hereditary tenants of their holdings. By a series of acts between 1799 and 1806, under Frederick William III, the freedom of domain peasants was practically accomplished, and the dues of those holding land, especially in return for labor with horses, were redeemed by money payments.[26] So willing was the government to cultivate initiative in the peasants, and so anxious to rid itself of the costly obligation to support them by subventions and privileges in the woodlands and pasturage, that in Pomerania and Brandenburg freedom from service was made conditional on the reluctant domain peasant's taking over the ownership of his holding. The result of this legislation before 1806 left only the remnants of forced domestic service resting on domain peasants, chiefly in Brandenburg and Pomerania, while the domain peasants outside these provinces still lacked the right of becoming peasant proprietors on easy terms. In Silesia, where for some obscure reason the domain reforms following 1799 had not been applied, the legislation of 1807-1808 first modified eighteenth century conditions.

[26] For a favorable view of Frederick William III and his part in the reform movement, see Thimme in *Forschungen zur Brand.-Preuss. Geschichte*, Vol. 18.

CHAPTER VII

The Edict of 1807 and Agrarian Legislation in the Nineteenth Century

The defeat of all efforts to relieve the serfs on private estates before 1807, even under such powerful sovereigns as Frederick William I and Frederick the Great, proves more than the strength of custom and the opposition of the nobles. These two rulers were not to be trifled with when the interests of the dynastic state were at stake. That state in the eighteenth century had gone from triumph to triumph with a feudalized social order and apparently even because of it. Nothing vital to the state had hitherto been involved in any attempt to emancipate the peasant. In England, in all the Scandinavian states, and in Holland and Belgium serfdom had long disappeared. Enlightened sovereigns like Joseph II of Austria, Charles Emmanuel of Savoy, Charles Frederick of Baden, and Frederick VI as Duke of Schleswig-Holstein had emancipated their peasants and entered on the path of truly national reform before 1800. But what Frederick the Great, their contemporary, had not done in Prussia could hardly be expected of his weaker successors. The French Revolution, by the degrees of August 4, 1789, and August 17, 1793, swept away the last remnants of the feudal obligations resting upon the French peasantry. By the conquests of the Revolutionary and Napoleonic armies the new social order was carried to the doors of a Prussia still essentially medieval in its agrarian and social organization, and habituated to a

belief in the divine right of kings. New occasions had yet to teach new duties to its sovereigns and make effective forty years of good intentions.

Frederick William III once declared, in August, 1807, through words put in his mouth by Beyme, that it had been his firm intention from the beginning of his reign to abolish serfdom. It is much more certain that he did persist in official ways up to 1803 in urging a plan of gradual emancipation. His weak will, the complexity of the foreign situation, and the sturdy opposition of most of the nobles prevented the realization of his benevolent purposes. There was lacking the impetus of a great minister, a great principle, and a great crisis before which selfish class interests pale. Only in such a conjuncture could a measure be enacted which would complete work and plans long cherished and found a new social order on a broader national basis. The crisis had come in 1806. The last justification of the Frederickian state had gone down at Jena, with an army officered by privileged nobles and composed of a soldiery that were neither free nor citizens of the state they served. The social and economic order must be reformed at one and the same time, if a new state was to rise on the ruins of the old.

Some months before Stein's appointment Frederick William III had set at work two commissions. One, under the chairmanship of Scharnhorst, was to deal with military reorganization. The second, the Immediate Commission, so-called because it was to report directly to the sovereign, was charged, after Hardenberg's forced retirement in July 1807, with the direction and reorganization of internal affairs. The desolate condition of the war-devastated villages and farms in East and West Prussia, and the danger of the peas-

ants fleeing to the neighboring Napoleonic duchy of Warsaw, where emancipation had been proclaimed on July 22, urged the Immediate Commission to action. They were not willing to stop with temporary subventions.

The reforming element in the official class was represented by such men as Schön, the East Prussian doctrinaire and disciple of Adam Smith and Kant; Niebuhr, the devoted friend of Stein; and even in such a representative of the old order as Beyme. These men had rallied under the leadership of Hardenberg, who in September 1807, after his retirement, had submitted a long and important memoir in which among other things he proposed the emancipation of the peasants. They were also familiar with Stein's ideas. In the sturdy old Schrötter, head of the department of East Prussia, and his brother, the chancellor, there were at hand two influential men who had imbibed from Professor Kraus of the University of Königsberg, the doctrines of "The Wealth of Nations." The Schrötters had contended for reform since 1798, and with a few other nobles had taken the initiative by freeing their own peasants. From two sources, then, there had been submitted by August 17, 1807, two drafts of an edict for freeing the private peasants. One was penned by the elder Schrötter, and the other by Schön, who in later years egotistically took to himself the credit for the inception and formulation of peasant emancipation. Both plans were worked over, and that of Schön lies at the basis of the final draft of the Commission, which was finished on September 30, the day of Stein's arrival in Memel. The plan of the Schrötters included many additional features, such as the abolition of craft guilds and the completion of reforms on the domain

lands, in which, as has been noted, East Prussia was behind the Mark. The members of the Commission knew, however, that Stein was coming, that final decisions and responsibility must rest with him, and that no other name at the foot of the edict would so quickly and surely guarantee its character to prince and people alike.

Stein had long ago taken his position for the abolition of serfdom. He had never made it the touchstone of a great policy for which he had worked through thick and thin, nor had he thought of it as did Schön as the exemplification of economic laws that under free contract would work out through individual freedom the ultimate good of the state. As a practical statesman he knew that the peasant could not be made a free man and not also run the danger, by losing his claim to the land, of sinking into a worse situation, if the noble was equally free to seek his own advantage by absorbing the peasant holding and turning the expelled peasant adrift.[1] Just how the peasant was to be freed and left to his own initiative, while still protected by a paternal state, was not clear to Stein, and he reserved the matter for later decrees. The idea of connecting the freedom of private peasants with the abolition of the craft guilds, or with measures for the domain peasants, was rejected by him. The Commission had thought to limit the operation of the edict to East and West Prussia, and in this they were in accord with the latest of the king's many and varied views on this point. Stein was decisive that the emancipation should be for the whole kingdom, and this was a great and sig-

[1] A vivid picture of just such results in Russia following the emancipation of the serfs in 1861 is given in "The Little Grandmother of the Russian Revolution (Catherine Breshkovsky)." Boston, 1919.

nificant contribution to the edict. He opposed any delay in order to secure the approval of the estates or a consensus of the nobles' opinions. The Magna Charta of personal liberty for the subjects of the Prussian king must go forth at once without faltering or delay or provincial limitation. On October 9, 1807, Frederick William III affixed his signature. The Edict of Emancipation proved that a great personality, a great moral force, had at last assumed command of the storm tossed ship of state.

The edict of October 9 did three things.[2] It changed the personal status of servile peasants to that of freemen and citizens of the state. In the second place, it abolished the difference between noble and non-noble lands, so that noble, burgher, or peasant might own either without hindrance or class distinction, subject to the usual notices to the state's officials. The third important provision was: "Every noble is henceforth permitted without any derogation of his station to engage in burgher occupations, and every burgher or peasant is allowed to pass from the peasant into the burgher and from the burgher into the peasant class."

It is proper to begin with the first measure, which in the decree comes last. The essential provisions are here translated:

"After the date of this ordinance no servile relation may be established, either by birth, marriage, the assumption of a servile holding, or by contract.

[2] Copy of the edict and other legislation in Altmann, "Ausgewählte Urkunden zur Brand.-Preuss. . . . Geschichte," Vol. II., pp. 1 ff. Translated indifferently in University of Pennsylvania "Translations and Reprints," Vol. II, No. 2. The extracts from the Stein-Hardenberg legislation given in Benj. Rand, "Selections illustrating Economic History since the Seven Years' War" (Fourth edition, New York, 1903), are taken from Seeley and Morier (see below).

"With the publication of this decree, there ceases all existing servile status on the part of such peasants, and of their wives and children, and the mutual obligations arising from it, whether their peasant land be held by hereditary possession in return for labor dues, as property, or as hereditary possession on the basis of the payment of tithes or rent.

"From and after Martinmas (November 11), 1810, all serfdom shall cease throughout our whole realm. After Martinmas, 1810, there shall be none but free people, as is already the case upon the royal domains in all our provinces.[3] All free persons are subject to the duties and obligations which they may assume by reason of holding land or by virtue of a special contract."

The edict had been so hastily drawn, and the German word for serfdom (*Erbunterthänigkeit*)[4] had such various meanings, that it was not clear at first just what had been abolished. Moreover, officials seem to have been very negligent in most provinces in proclaiming it, months even elapsing before it was posted or read from the pulpit. Indeed, it was never really pub-

[3] A palpable error, as the preceding account and the later decrees amply prove.

[4] I have generally used the words serf, serfdom, and servile because they more nearly convey a sense of the actual conditions under discussion. "Hereditary subjection" may convey the same idea equally well to some readers and conform to the legal distinction which the manorial lord was always insisting upon. *Leibeigenschaft* (slavery) was used in the eighteenth century decrees aimed at improving the status of the bond peasantry. The provincial estates and individual manor owners successfully nullified them by denying the existence in their region of *Leibeigenschaft* (slavery). There was only *Erbunterthänigkeit*, etc., was their plea in confession and avoidance.

lished in the Mark, as was discovered just before Martinmas Day, 1810.[5]

The preceding discussion has made clear some of the things it did not do. Supplementary explanatory decrees were found necessary in the course of a year, as officials and nobles misunderstood or boldly defied its real intent, or the peasants in some regions (*e.g.*, Silesia) thought that it had freed them from all dues and services. What it really did was to make the peasant personally free. He was no longer bound to the soil, nor were he and his children and his children's children forever condemned to remain in the class to which they were born. Forced domestic service was abolished and the peasant was free to move wherever he thought he could better himself, and that without paying any indemnity to the lord. The peasant could marry or learn a trade without seeking permission of the lord, and at his death dispose of his holdings as he chose among his children without the noble's exercising the customary choice between the heirs.

It will be seen at once that the edict did not do for the private peasants two important things already offered the domain peasants. It did not change in any way his labor obligations, except in the matter of domestic service, nor lessen his payments to the lord, nor did it bring him legally any nearer ownership in his little holding. More serious was the failure to abolish the lord's control over petty justice. Upon this point the reformers had not been in sufficient agreement to follow Stein's suggestion. Stein had sought to protect

[5] The Mark of Brandenburg was occupied by the French at the time the decree was proclaimed. Subsequent ministers and their subordinates seem to have wholly neglected the matter after the return to Berlin in December, 1809. It had, however, been sent out as directions to the courts of the Mark in 1807. *Cf.* Schönbeck, p. 40.

the emancipated peasants from expropriation by inserting the phrase, "A legal limitation on the free disposition of property still remains valid, particularly that one which sets limits to the selfishness of the richer and more educated and prevents the absorption of peasant land into that of the estate." The whole matter was reserved for regulation by later decrees. Unfortunately, the nobles did not heed the warning, and the instructions, of which the first for the province of Prussia was not issued until February, 1808, did not fully realize Stein's purpose of preserving the peasants from exploitation. The February instructions gave the nobles considerable liberty in consolidating small peasant holdings, so long as an equal amount of land in large farms of from 170 to 340 acres was leased out in hereditary holdings free from servile dues. The nobles seem to have objected to this regulation quite as vigorously as they did to emancipation itself, but it represented, nevertheless, a diminished protection to the weaker peasants, who would have no resource but to become day laborers. Stein's sound instinct in this matter was to keep a considerable degree of the old paternalistic attitude of the state towards the peasants as a class, but in these instructions he seems to have yielded somewhat too much to his own desires and to those of his contemporaries, especially Schön, to develop the peasant's initiative and independence by throwing him on his own resources. Only the financial distress of most of the noble landowners could prevent them from seizing the opportunity thus offered to dispossess the peasants who held by the poorer and more uncertain forms of tenure. The logical step of making the peasants landowners was not taken at this time; and when it was definitely

decreed, in 1816, the party of reaction was so firmly intrenched that the nobles were able to dictate their own terms and win their battle for a certain and sufficient supply of cheap agricultural labor.

On October 28, 1807, appeared an order abolishing the remnants of serfdom on all domain lands on and after June 1, 1808, a date considerably earlier than that set by the October edict for the liberation of the last of the peasants on private estates. By the edict of July 27, 1808, Stein completed the work of transmuting the dues of domain peasant into property rights in the land, a task which, as has been pointed out, had been accomplished before 1806 for all but the domain peasants in East and West Prussia and Lithuania. Stein estimated that this edict benefited 47,000 families (a recent scholarly estimate is 30,000) holding something like eight and a half million acres. The possibility of such ownership, it must be pointed out, was open only to those domain peasants holding by the better and more permanent tenures.

Stein did not attempt anything similar for the private peasants, nor, with the exception of the abolition of the compulsory use of the lord's flour and grist mills and the purchase of beer and brandy from him, was he able during his short ministry to lessen the burden of peasant dues. He was even obliged to face considerable pressure from the nobles to prevent the restoration of forced domestic service. A plan to consider, in a representative assembly, the abolition of the lord's patrimonial justice was under consideration in the last month of Stein's ministry, but disappeared with his fall; and the last vestiges of the lord's control in this matter were not abolished until the local government law of

1891.[6] He also left unrealized plans for abolishing the governmental *corvée* of transportation, for the partition of common lands, for the regulation of labor dues, and for the creation of peasant owners on private estates.

The nobles do not seem to have been in a position to offer effective resistance to the edict of emancipation.[7] The storm of indignation and shame which had swept over Prussia after the collapse at Jena had been directed chiefly against them, albeit with a considerable degree of exaggeration. It is further evident that they were not wholly united, for some of them felt that the time had come for reform in agrarian conditions.

The *Kammerherr* von der Recke, who exclaimed when he heard the edict read in the Casino at Berlin, "Rather three more lost battles of Auerstädt than this,"[8] must not be taken too seriously as a representative of the feudal courtier class, of which Minister Voss seems to have been the leader. It is clear that members of the reform party, like Schön, felt sure that the previous measures concerning the domain peasants, and the state of public opinion after Jena and Tilsit, had prepared

[6] Von der Marwitz, the chief critic of the Stein-Hardenberg legislation and the leader of the noble party in opposition, saw clearly in 1807 the ultimate consequences which must flow from the abolition of the distinction between peasant and noble lands. He wrote, "The administration of local justice and police and church patronage must sooner or later be divorced from the soil, for these are now put up for sale to any vagabond who has the purchase price." For the views of the typical *Junker* and original pan-German, see his memoirs edited by Meusel, "Friedrich August Ludwig von der Marwitz: Ein Märkischer Edelmann, etc." (Berlin, 1908).

[7] Dessman, "Gutsherr und Bauer in Schlesien" (Strassburg, 1904), pp. 138, 141-145; and Knapp, in *Forschungen zur Brand.-Preuss. Gesch.*, I, 249-261, 573 ff.

[8] Schön, "Weitere Beiträge, etc.," p. 51 (Berlin, 1881).

the country to accept immediate emancipation. Groups of nobles in Silesia held meetings and through committees gathered protests against the edict, and saw to it that any communications from the peasants did not reach the king's hands. The edict undoubtedly caused some of them heavy financial loss; one landowner estimates that on his two estates, in Silesia, the October edict caused him a loss of 12,000 reichsthaler and brought him nearly to the point of bankruptcy. His only objection, however, was to the untimeliness of the edict and not to its main provisions. Others simply ignored it and did not carry it out on their estates.[9] It is, therefore, impossible to estimate how many peasand serfs were affected by the edict. Schrötter, in a contemporary newspaper article lauding the edict, says that it freed 100,000 families, an estimate evidently based solely upon the Prussian provinces then under Frederick William's control, to which it could be immediately applied.

[9] No study has yet been made of the opposition to the Stein-Hardenberg reforms. Ernst von Meier promises to deal with the subject in the third volume of his "Französische Einflüsse auf die Staats- und Rechtsentwicklung Preussens im XIX. Jahrhundert." So far as concerns the Edict of Emancipation there are in addition to the brief treatment in Lehmann and other biographers of Stein, a few scattered items to be gathered from Marwitz's autobiography, edited by Meusel ("Ein Märkischer Edelmann, etc.," 2 vols., Berlin, 1908); Boyen, "Erinnerungen," I, 90, 91, 304; article by Ziekursch in *Preussische Jahrbücher*, Vol. 61, 278 ff., and Vol. 127, 493 ff.; *Forschungen zur Brand.-Preuss. Gesch.*, I, 582 ff., and XXIX; Bassewitz, "Die Kurmark Brandenburg in 1806 bis Ende 1808," 2 vols., (Leipzig, 1851-52), and his volume with a similar title for 1809 and 1810. The chief literary exponent of the opposition was Adam Müller, in his "Elemente der Staatskunst," Berlin, 1809. Knapp, "Bauernbefreiung," I, II, incidentally throws considerable light on the subject, as does Bornhak, "Preuss. Staats.- und Rechtsgesch.," 329, 368 ff., and Cavaignac, I, 472-487. There is much more on the opposition to the Hardenberg edicts, *cf.*, Cavaignac, II, chap. iii, and the references there cited.

The opposition of the nobles as a class to the Stein-Hardenberg reforms, and to much succeeding legislation during a century which has been dominated by the economic revolution, must not be charged straightway to class or caste prejudice. The fundamental fact that the nobles are the representatives of capital invested in agriculture should be kept constantly in mind. Even in the days of Stein and Hardenberg, such *Junkers* as von der Marwitz were dimly conscious that a new order was being established in which the old dominance of agrarianism was seriously threatened by the new urban development. Only the fact that the nobles were socially and historically a distinct class, with special functions in a military state, has obscured the fact that they were also the first capitalistic producers, seeking to retain all the advantages of their prior claim to state protection and favoritism, and attempting to block in every way a new economic and political régime which threatened their preferred place and their control over a cheap and subservient labor supply. The group that rallied around von der Marwitz in opposition to Hardenberg was more than a few feudal reactionaries. It was the antecedent of the conservative and agrarian party in modern Prussia, which still finds its center of power east of the Elbe and its chief opponents in the industrial area of Westphalia and in the great commercial centers. The permission to the nobles to enter trade and industry has never been deemed wholly consonant with their class feeling. Agriculture and state service remained almost as much their sole employment as in the days of Frederick the Great. They were still, at the opening of the twentieth century, predominantly a caste and not a class.

Viewed from the standpoint of the economic historian the edict of 1807 was only one in a series of measures, and as it did not lessen the peasants' payments or give them property in land it would in his eyes hardly take rank with the measures concerning the domain peasants (1799-1806) or the "regulatory" acts of Hardenberg in 1811 and 1816. The economic historian may very properly go farther and point out that, now that the lord was equally free from any obligation to support the peasants or pay the land tax when they could not, and that the state no longer stood between the emancipated peasant and the lord who might wish to cast him adrift as a day laborer—he might say and did say, then and recently, that it was a measure of doubtful economic advantage to the very class for whom it was conceived. The simple fact remains that the edict must be judged from more than one point of view. Despite the opening paragraph which seeks to make the edict acceptable to the class from which opposition might be expected by presenting it as a measure for the improvement of agriculture, that was not the chief idea in the mind of the great minister who stood sponsor for it. It was not the mythical "economic man," seeking his advantage where he elected, that Stein had in mind alone. Even von der Marwitz admitted that the edict "was greeted from the Garonne to the Niemen with a paean of praise." The "ideologues and philosophers" who praised it saw in the edict a step upward toward the goal of human freedom out of the medieval bondage of class to class. It was something more than the first or the last or central measure in a series of agrarian reforms, for it gave hope where the old order and national disaster had left only despair. It was a response to the spirit of

the age and widened the bases of the Prussian state by making every peasant a citizen of that state and not of an estate. It was also essentially Prussian, because it embodied a new realization of the necessity to that state of free citizens, who would be ready to serve in the ranks of the national army which Scharnhorst was planning against the day of national uprising. It prepared the common man for his part in the moral regeneration of community and national life toward which Stein was steadily pressing. It sought to break the economic bonds that held the noble as much as the peasant to his class. Not individualism at the cost of the common weal, nor an all-powerful state that crushes everything not justified by reasons of state, nor hostility to any class, is at the basis of this edict or of the other measures of Stein's ministry of which it is but a part. It is rather like the reform of the cities, an effort on his part to uncover again the old, somewhat idealized, German virtues of independence and loyalty. These he would fuse first in communities of freemen having self-government without class control and participating in a national life dominated, to use his words, by the threefold love "for Fatherland, independence and national honor." The abolition of serfdom was for him first and fundamental in the realization of a program that embraced economic, political, military and administrative reforms, to the end that a regenerated and nationalized Prussian state might liberate itself and Germany from foreign occupation and oppression.

It was a program too large for execution in Stein's short and troubled ministry, and in its fullest implication was not completely realized in Prussia during the following century. One cannot be captiously critical

when one considers the difficulties with which he struggled. The burden of the French occupation, the complete disorder in the finances and administrative machinery of the state, the absorption of Stein's energies in the negotiations concerning the French indemnity, his too protracted absence in Berlin on this business, the gathering opposition at court and the timidity of some who had favored reform at first are at least partial explanations for the failure and fall of the Prussian Turgot. After July, 1808, Stein's heart was set on a possible national uprising and, although he is sometimes furious at the selfish class spirit of the nobles[9] and ready to abolish at least the lesser ones, wisdom dictated restraint, for the nobles were the class upon whom he must depend to summon and lead their peasantry in any struggle. After the unfortunate revelation of his intentions in the captured letter to Prince Wittgenstein the opposition to further agrarian reforms grew bolder, for it felt that Stein's days in power were numbered. It is evident then why his agrarian reforms like the whole program outlined above could be realized only in part.

The weakness of Stein's successors and the general confusion delayed any further vigorous attempt at agrarian reforms until Hardenberg became chancellor in 1810.[11] Under his direction plans for making the peasants owners in fee simple of the land they had so long tilled were drafted and laid before an Assembly of

[10] Pertz, "Stein," II, 582, 585, 587.

[11] The following paragraphs are based largely on Knapp, "Die Bauernbefreiung und der Ursprung der Landarbeiter in den älteren Theilen Preussens," I, 137-326, and the accompanying documents in volume II. A briefer account will be found in Cavaignac, "La formation de la Prusse contemporaine," II, chap. iii.

Notables in 1811.[12] It was the first government bill laid before the Prussian national assembly. After eight months of consideration and debate the result was issued as the edict of September 14, 1811.[13] By the terms of this edict the peasants on private estates are divided into two classes, both to be freed from dues and labor duties to the landowner in return for their relinquishment to him of all claims to a certain fraction of the holdings in which they had by custom or law possessory rights. The first and better class, the hereditary peasant possessors (*erbliche Lassbauern*) renounced all claim to one-third of their holdings. This passed into the full ownership and control of the lord, and the remaining two-thirds became the property of the peasant tenant. The second class included peasants with no hereditary claim to their holdings, and also those who rented on the basis of a lease, generally for six or twelve years. This second group included by far the greater part of the peasantry on private estates. They were to yield the lord one-half of their holding and retain the rest as proprietors. While the peasants were freed from all obligations to their former

[12] For an account of this assembly *cf.* A. Stern, "Abhandlungen und Aktenstücke zur Geschichte der Preussischen Reformzeit," Leipzig, 1885. It was composed of eight officials representing the administration, eighteen representatives of the nobility, eleven from the cities, and eight peasants. The nobility, who protested vigorously against the admission of the peasants, were placated by an increase in the number of nobles summoned.

[13] The draft of this edict was chiefly the work of Raumer, the historian. To Scharnweber, Hardenberg's able lieutenant, fell the responsibility of defending it before the assembly. The original plan was to make all peasants proprietors, but as many of the objections of the nobles in the Assembly of Notables were taken into consideration in the final draft signed by the king, the September edict was far from representing the original ideas of Hardenberg and his advisers.

master in money and labor, he was no longer obligated to support them in times of sickness and crop failure. They still remained, and did for forty years more, wholly subject to his patrimonial jurisdiction. All the land taken over by the lord from the peasants would be exempt from taxes, and the peasant was left on the remaining part economically crippled by the smallness of the farm he owned. The advantages to the state and the peasant in this abandonment of an immemorial policy of preventing the encroachment of noble land at the cost of the peasant class were very doubtful. It is, however, hardly worth while to weigh the strength and weakness of this edict, which was soon superseded by that of 1816 and was scarcely enforced in the midst of the turmoil of the years of war (1812-1815), and even during these years underwent several modifications in favor of the noble landowners. The chief importance of the edict of 1811 was as the first effort to make the peasants a really free, because economically independent, landowning class. It was the first breach in the walls behind which the landed oligarchy had intrenched themselves in a position of overwhelming dominance in the political, economic and social life of Brandenburg-Prussia.

The real basis of the readjustment of peasant tenures is the "regulation" or edict of May 29, 1816, which remained in force until a new era had been inaugurated by the revolutionary movements of 1848. According to this the readjustment in holdings was to apply only to the peasants who rendered labor services with draft animals (*spannfähige Bauern*). Of this class of tenures only those which had paid the taxes (*Contribution*) collected by the central government on

peasant holdings were to be "regulated."[14] As a further limitation these holdings must date back to about 1763,[15] *i.e.*, to a time when the wars of Frederick the Great had reduced this better class of tenures to its lowest point. Nor was this all. The holdings must be those which the owner of the estate had been required to keep occupied by peasant possessors. As if this paring down by exemption after exemption was not enough, the "regulation" of 1816 omits all provisions for its own application unless one or the other parties to a possible readjustment invoked the aid of the government commissions.[16] Peasants whose tenancy rested upon the payment of days' works by manual labor alone were wholly unaffected by the edict. The normal procedure contemplated by the ordinance of 1816 was a mutual arrangement between peasant and proprietor. The peasant remitted from one-third to one-half of his holding, depending upon whether non-hereditary or hereditary, and retained the balance as owner instead of tenant. Such an arrangement terminated equally all labor dues, likewise all claims of the peasant to the support of the landlord in times of need.[17] If both thought it to their

[14] This excluded peasant holdings which had been made by cutting up noble land (*Ritteracker*). Such land, although held by peasants, retained its "ennobled" character and the consequent exemption from the tax on land.

[15] It varied by provinces somewhat.

[16] Instead of affecting 350,000 peasants, as was estimated on the basis of the September edict of 1811, but 18,236 had become free proprietors in 1820. *Cf.* Knapp, *sup. cit.*, II, 346, and Meitzen, "Der Boden . . . . . des Preussischen Staates," I, 431.

[17] This arrangement was to be formally approved by the government officials. It was possible for the lord to claim more than these fractions if he could show cause. Further, the lord in case of these special arrangements was to be paid 5 or 7½ per cent (according as the peasant tenure was hereditary or non-hereditary) of the net returns of the land (including the garden) retained by the peasant. Knapp, I, 194.

advantage to let the existing medieval arrangements persist, they were at liberty to do so, or instead of giving up the fraction of land the peasant could assume the payment of a rent in money or kind. The great advantage to the landed oligarchy of keeping things *in statu quo,* if they so desired, is evident. Further provisions of the "regulation" made still clearer the abandonment by the government of the vigorous efforts of the eighteenth century to preserve the peasants as a class, and made it easier for the landed oligarchy to build up still greater estates.[18] The lack of consequential energy and willpower on the part of Hardenberg, his uncertain control and the tenacity of the landed nobles in defending their interests, the absence of any strong third estate or vigorous monarch to check the *Junkers,* and the general reactionary triumph after 1815 explain, in part at least, the illiberal terms of the edict of 1816. It was indeed a poor reward to the common man for his part in the national defense during the Wars of Liberation.

In the period from 1815 to 1830 the chief interest of the liberal opposition was in political reform, through the limitation of the monarchy by representative government, for the benefit of the reading and thinking

[18] This was possible not only through their advantage in dealing with the two classes (*Lassbauern* and *Pachtbauern*) covered by the edict, but also by consolidating and taking over the poorer and more uncertain peasant tenures falling outside the narrow limits of the edict. The Polish territory acquired in 1815 was treated by special regulations much more favorable to the peasant. The exceptional position given Silesia in the edict of 1811 disappears in the regulation of 1816. It was, however, re-established for Upper Silesia in 1827 and 1845 at the instance of the landed class, and entirely to their advantage by reason of added limitations to the class of peasants subject to regulation, thus shutting out thousands who might otherwise have become small proprietors. Knapp, I, 205-217.

class. As a consequence, agrarian reform and the poor peasant were lost from sight. Gradually after 1830 the liberal agitation began to assume a more marked social-economic character. To the feeling of unrest on the part of the industrial classes created and exploited by the introduction of machinery and capitalistic production are added demands for the betterment of the agricultural classes. This was both for their own sake and, less consciously, because the rise of cities and the decline of domestic industry through urban large-scale production made necessary some consideration of the class whose products must feed the city population; for it was the manufacturing cities which prevented the peasant's supplementing his income by domestic industry and also drew from his ranks the younger and more enterprising members.

The industrial revolution necessitated now as ever an agrarian revolution. It did not come, however, until after the national, liberal, middle class uprising of 1848. In 1850 the ministry of Manteuffel secured from Frederick William IV the approval of a royal edict abolishing the antiquated servile dues still surviving in various forms in scattered regions of the Prussian monarchy. All other charges and dues were made redeemable generally in a money rental. The transformation of peasant holdings (with some important exceptions) into ownership in fee simple was decreed and the landlord denied any indemnity. In a second decree of the same day, March 2, 1850, the government established local collection and depositary agencies (*Rentenbank*) to which the peasant was to pay in installments the money for the redemption of the old charges and dues. The government through the bank paid the landowner eight-tenths of these sums and

funded the rest as a means of gradually buying up the claims of the noble landlord. If the peasant did not wish to effect the redemption through the government bank, he could do it on his own initiative by paying the lord eighteen times as much as his annual rental or indemnity.

The tenacity of the landowners, especially in Pommerania, in defending their interests as they understood them, extorted some modifications and exclusions from Frederick William IV, who had little interest in the decree of 1850. In 1853 and in 1857 legislation in the recently formed Prussian Diet determined that if by December 31, 1858, neither interested party had called for a settlement on the new basis, the old arrangements might continue to exist. This permitted but did not enjoin the persistence of landholding on the basis of certain modified servile tenures existing before 1811 and 1816. Further it was possible, at least until a very recent date, to find peasants in Prussia who were paying out on the redemption of their lands from servile tenures.[19]

The Stein-Hardenberg reforms, so far as they related to the Prussian peasantry, were far less complete and effective than they seem in the previous accounts by biographers of Stein and by writers like Seeley, who has given the account most generally accepted by English readers. In its social and economic organization, the Prussia of the nineteenth century remained

[19] See Cavaignac in *Revue de Paris*, 1894, "La feudalité en Prusse à la fin du XIXe siècle." In the summary of agrarian legislation I have used Knapp. For older accounts see Morier's essay in Probyn (editor). "Systems of Land Tenure in various Countries" (London, 1881), and Ouvry, "Stein and his Reforms in Prussia with Reference to the Land Question in England" (second edition, London, 1875). Ouvry gives the edicts of 1811 and 1850 at length.

far more like the Prussia of the eighteenth century than has been recognized until recently. The power of the feudal military nobility, the so-called *Junkers,* remained the dominant force in the organization and ideals in modern Prussia. The industrial revolution scarcely shook their hold upon the state, for perhaps their greatest triumph was to enlist modern industry and capitalism in enthusiastic support of ideals which were essentially those cherished by the Frederickian state. When the revolutionary movements of 1848 forced a decreed constitution from Frederick William IV, the three-class voting system and the ballot by voice, skillfully supplemented by a system of education along class lines, kept the peasantry and the newly created labor group in tutelage, while the *Junker* and the capitalist joined hands over their heads in support of a dynasty and supreme state which served their purposes and embodied their ideals quite as well as it did in the eighteenth century. It was also the good fortune of this class to produce in one of their number Otto von Bismarck-Schönhausen, a personality so dominant that he could project this Prussia into the larger life of the Germany which he united under Prussian leadership.

CHAPTER VIII

Administrative, Municipal and Military Reforms

Stein was both by training and experience primarily an administrative and not a social reformer.[1] His first interest was the government, the state and its organization and administration. He did not undertake, any more than any other great Prussian-German reformer, the reshaping of the state and its organs for the sake of benefiting some social group or class as a unit, and much less for the benefit of the subjects of the monarchy as citizens and individuals. Even the great edict which has just been described was enacted not so much for the sake of oppressed classes as classes, or as individual citizens, but in order that they might become citizens and be aroused to a higher and better interest in the state and its liberation and preservation. This measure Stein defended in language which would and did serve equally well for Scharnhorst's defense of universal military peace. His language is so forceful, his moral power and enthusiasm so all-compelling, and his edicts make such an appeal to our liberal and progressive generation, that this central fact concerning the basis, the philosophy if you will, of Stein's work may be easily forgotten. After one has given due weight to the influence of contemporary movements in France, one is obliged, if one penetrates below surface resemblances in form and phraseology, to acknowledge that

[1] "Stein's Principles of Administrative Organization" is the subject of a doctoral dissertation by D. O. Clark, accepted by the University of Illinois.

the reforms of Stein and his co-laborers were different from the work of the Revolution in France. They were different not only because they were proclaimed by the monarchy, but because they were born not of a desire to secure the rights of man but to regenerate the state as a better instrument for national defense under dynastic leadership. It is this which gives them their essentially Prussian-German character. It constitutes their oneness with all previous Prussian reforms made in preparation for or as a result of national military necessities.

Stein did not come to his task aflame with a desire to right some great social injustice. He was prepared to do whatever was necessary to regenerate the Prussian state and make it a fit instrument for freeing Germany from a foreign conqueror. This was to him and to his associates a moral issue, but it did not constitute him a moral reformer in the usual sense. This will be evident in the administrative reforms to which he attached so much importance.

In this field Stein's discontent and determination to work a change grew normally out of his ability to do more than any task to which he had yet been called, to see further than other officials into the origins and interrelations of the conditions with which as a provincial minister he had had to deal, and from his boldness in replacing the old rather than in attempting to mend it here and there. He hated inefficiency and stupidity and pettiness above as well as below him. They were to him almost moral defects. The higher he rose in office, and the nearer he came to Berlin and the central bureaucracy and to the monarchy's advisers, official and unofficial, the more he was convinced that a thorough housecleaning was needed. The approach and

culmination of the catastrophe of 1806 confirmed him in his opinions and gave him his opportunity. He had no doctrinaire program to carry out. He brought to his task what was better. He brought his training, his German rather than Prussian point of view, his sturdy independence, his ruthless frankness of speech, his unfaltering sense of right and justice, his hatred of sham, his tireless brain and frame, and his unselfish devotion to the cause of German liberation.

Stein's interests and activities as a reformer before October, 1807, are chiefly revealed in two lines of evidence. They are his career as a provincial administrator in Westphalia, and his two considerable memoirs, the first that of April, 1806, already summarized, and the second written during his retirement at Nassau, in June, 1807.

A few lines will recall the chief matters with which Stein had concerned himself during his career as Superior President in the western provinces. He had shown himself deeply interested in preserving the local institutions and in coöperating with the provincial diets. By all such instruments of local government he sought to bind the inhabitants of the Westphalian provinces to the central government and through their heightened community sense prepare them to act in coöperation with the representatives sent out by the central government at Berlin. In much of this work he had been balked by the constant efforts of the bureaucrats in Berlin to throttle local participation in public affairs and to reduce everything to the dead level of machine-like routine which had prevailed in the latter years of Frederick the Great and under his two weaker successors. Stein, like Bismarck, battled valiantly with official stupidity and routine and endless writing and filing of reports.

His constant demand on his subordinates was for more intelligence, more study, more expert knowledge and more direct touch with the real problems and conditions about them. A multiplicity of conflicting jurisdictions, of useless offices, were matters with which he had dealt vigorously. Sometimes he was supported by the Berlin ministry, especially in matters where he could secure the untrammeled backing of Heinitz. More frequently, if the matter called for the attention of the ministry and a recommendation from them to the king, it would languish through several years of doubt, revive under the application of more reports, and then wearily drag itself from the council table to a long deferred death in a dust covered pigeon-hole.

Such a discerning and capable official as Stein soon felt that the chief evil in the Prussian state lay in the central government, where the ministers who had the responsibility were only clerks, and the "cabinet" who were only clerks had all the powers of ministers by reason of their direct access to the presence of the king and the enjoyment of his personal favor. It was against this evil that he had addressed his ringing protest in April, 1806. His second draft of his ideas of reform is the famous Nassau Memoir. It is probably the most important single state paper which has come to us directly from Stein's own hand. The statue of the reformer which stands on the hillside on the site of his ancestral castle overlooking Nassau holds in its hands a scroll on which is inscribed the date of this memoir, June, 1807.

The Nassau Memoir fills some twenty-three pages in the seven volumes of Pertz.[2] Its themes are those upon which Stein had dwelt again and again and to

[2] Pertz, I, 415 ff.

which he often recurred in the following months. Its central emphasis was upon the necessity of securing unity and power in the central government and eliminating mechanical and lifeless routine and official subservience. A government which failed to avail itself in local matters of the interest and knowledge of actual conditions possessed by the property owners weakened the bond which held him to the government and dissipated energies which would be given without salary. It was ridiculous that the great property owner could not be intrusted with affairs within his own community and that all authority should be handed over to some non-resident official who was in utter ignorance of local conditions. Such a government was fatal to the community and to the national spirit and increased the costs of government. The English local government system as expounded by one of the French publicists in opposition to Napoleon is cited as a model of the kind of satisfactory local government which can be secured when property owners are given office and intrusted with the conduct of local affairs.

"Once we are convinced that the exclusion of the nation from all participation in public affairs throttles the community spirit (*Gemeingeist*), and that this is not replaced by a government of salaried officials it follows that there must be a change in our system of government. The obtrusive interference of national officials in private and local matters must cease and be replaced by the local activity of the citizen, whose life is not circumscribed by red tape but who acts vigorously because his circumstances have accustomed him to actual life and compelled him to participate in the complex of human affairs. We must bestir ourselves to direct the existing powers in the mass of the

nation to proper solicitude for their own concerns, with whose conditions and needs they are best acquainted. In this way administration will be adapted to existing conditions and brought into correspondence with the thought (*Kultur*) of the nation. The legislation of a nation is faulty when it is based solely on the opinions of the business men or of the learned class. The first are so absorbed in attention to detail that they fail to see things in the large; so accustomed to judge by their experience and practical considerations that they are opposed to progress. The latter are too far from actual business life to be able to accomplish anything useful. If a nation has risen above the stage of materialism (*Sinnlichkeit*), if it has accumulated a considerable body of knowledge, if it enjoys a moderate degree of intellectual liberty, it then directs its attention to its own national and local interests. If it is but conceded a participation in them the result is a most beneficial manifestation of patriotism and national feeling; if all coöperation is refused the result is discontent and opposition, which will break out in manifold forms or must be suppressed by violent measures which are destructive to the spirit. In this way the laboring and middle classes of society are dishonored because their energies are confined to mere pleasure and profit, the upper classes sink in public esteem through self-indulgence and idleness or react unfavorably upon the government in unrestrained, irrational criticism. The speculative sciences attain a fictitious importance, the general good is neglected, and the bizarre and incomprehensible absorb the attention of the human intellect which is given over to futile introspection instead of vigorous action.

"My own official experience convinces me thoroughly

of the excellence of properly constituted estates, and I regard them as an effective means to strengthen the government through the knowledge and prestige of all educated classes, to bind all such classes to the state through conviction, participation, and coöperation in national affairs, to give to the forces of the nation a field of activity and a direction that would forefend them from idle sensual pleasures, the futile vagaries of metaphysics, or the pursuit of merely selfish ends. They would constitute an effective organ of that public opinion which we now strive vainly to deduce from the utterances of individuals or from organized groups (*Gesellschaften*)."

It is evident that Stein is here referring to provincial and not national assemblies. It was through the gradual process of political education, through participation in local affairs that he would prepare the property holders—and he refers solely to this class—for the day when they might enter upon the consideration of large matters. Selected members of various groups of property holders, serving without salary, could be drawn upon in the administration of local government in both city and county and intrusted with authority in matters of policy, local justice and the execution of royal orders. As a specific and immediate measure he would add to the chambers of war and domain in each circle appointed and unsalaried lay members from "all owners of considerable property of any kind."

Within each circle there was to be an assembly composed of the nobles and property owners and deputies from city and country communities, such deputies to be "owners of a property which yielded a considerable income free from debt." The internal affairs of the province, such as the provincial code, education, charity,

roads, drainage and the improvement of peasant conditions were to be considered, together with the necessary expenditures from provincial funds, in a provincial diet composed of representatives from the diets of the circles. In addition, this provincial diet nominated certain deputies from whom the king chose the lay members who were to serve for six years without pay in the chambers of war and domain. This completed the chain which brought the government at Berlin in direct touch with provincial affairs and gave them the sum of the views of all interested elements, without the necessity of further reports and supplementary opinions. Time, money and friction would be saved; but infinitely more important, Stein hastens to add, would be the awakening and utilization of the dormant powers of the citizen, the rejuvenation of civic sense and national feeling, the unity between the nation and the officials, and "the renaissance of affection for the Fatherland, independence and national honor."

There is here little emphasis on election or representation by local areas. When Stein speaks of the latter it is rather the representation of social and economic groups and not geographical areas that he has in mind. He fully recognizes that the severest test for local government as he advocates it will come in the backward Polish provinces. A masterly and objective analysis of the history and conditions of Poland, in which Prussian policy is not spared, leads him to an optimistic faith that his ideas will survive the test even when applied here. It is in the paragraphs of the Nassau Memoir devoted to Poland that he boldly suggests the revival of the name Poland and a tolerant attitude towards its national individuality as expressed in language and institutions. Not oppression but elevation

of all that is good and noble in the nation should be the aim of Prussian government in Poland. As one measure to that end he proposes the freedom of the peasantry and their ownership of their holdings, implements and livestock, and the fixing of their labor dues in legal form. In return they are to indemnify the present owners or be expelled. It is his only allusion in the memoir to peasant liberation and ownership, but in view of his past record and the October decree it is not too much to say that what he advocated for the Polish peasantry represented what he would have done for the peasantry of all provinces.

It is perhaps not all he had in mind concerning them, for he cites peasant participation in the local estates in East Frisia, and his emphasis upon the participation of property holders in local government would not have excluded the more successful of the free peasantry. In one other passage he follows the logic of the position he has taken in favor of the nation's participation in a modest way in its own government. "All the forces of the nation will be made available, and if the higher classes sink through slothfulness and avarice, those below them will rise with renewed strength to acquire for themselves influence, respect and property, and maintain the venerated structure of a free, self-reliant, and independent government."

In the Nassau Memoir Stein's interest was, however, chiefly centered upon the necessity of reorganizing the central government and the proper measures for compassing it. So far as the cabinet is concerned he passes that over with an allusion to the memoir of April, 1806. For the General Directory, where ministers held their portfolios largely for provinces, sometimes for subjects and often for provinces combined with matters touch-

ing the national administration, he would substitute a privy or a crown council. The ministerial portfolios should be assigned upon a logical or subject basis—*i.e.*, for finance, police (interior affairs in general), foreign affairs, war and justice. In a military state such as Prussia it may be well to point out that the most novel suggestion here is the unification of all military affairs under one powerful war minister. Stein then outlines the bureaus to be grouped under such a ministry and everywhere provides for and insists upon oral conferences and the eliminating of endless correspondence with its resulting friction, misunderstanding and delay. Responsibility and authority within the law were to be placed upon the subordinate officials and the ministers freed from detail for larger tasks. He does not advocate a prime minister or give any definition of the direct relations of the king to this ministry, over which, as his later expressions show, Stein hoped Frederick William III would assume the presidency.

There is in all this something of that want of detail which led Vincke, one of his friendliest critics and supporters, to say of Stein that he seized boldly upon the large and salient feature of any matters, took little notice of the details, and often overlooked difficulties.

When he arrived in Königsberg he found in the Immediate Commission and the more active younger men retained in service after 1806, men who shared his central ideas and were to be trusted to give his suggestions as to method independent and honest treatment, and work out the details when a general agreement was reached. Better than all, he found the king "exhibiting amid his terrible misfortunes a spirit of courage, firmness and renunciation, which I had never attributed to him," and although Frederick William III

confessed to the French envoy in 1810 that he had never loved Stein, he approved his plans with all the heartiness with which his pedantic and hesitating nature permitted. In only one point was he firm. He would not preside over a privy council or ministry and he was reluctant to see any final plan which provided for an all-powerful prime minister. No Hohenzollern has ever been more mindful than Frederick William III of the traditions of his dynasty and of the example set by Frederick the Great in matters of government. Behind the bulwarks of wont and custom he sought to fortify his own personal weakness.

Stein's predecessor Hardenberg, and Altenstein who became his successor, had drafted their ideas on the reorganization of the central government. The aims and fundamental ideas of Stein were already in circulation when he took office in October, 1807. The Nassau Memoir was submitted to both the foregoing statesmen, and in the course of the discussion the opinions of all the chief members of the government were passed upon the detailed plan which the ready pen of Altenstein had worked out by November 23, with a supplementary report on December 27, 1807. Scharnhorst was given a free hand to draft the plan for the new ministry of war, and this was incorporated in the completed plan. The king could not fully overcome his habit of considering adverse opinions and asked for the opinions of Beyme, Stein's chief opponent, and of Lottum, who played the same opposition rôle to Scharnhorst in the military reorganization commission. Stein never let the final decision pass out of his own hands. He felt secure in his own opinions, in the support of the best elements and in the essential readiness of the king to endorse the final plan, inasmuch as he had given

Stein's ideas his full approval. He held the discussion strictly to the question of administrative organization. When one of the councillors suggested a pretense of national representation, his comments made clear his ultimate plan for a real national assembly that should have the power to initiate legislation, but the time was not, in his opinion, ripe for such a complete change of the Prussian system.

The first task was to make a nation through the measures under consideration. All questions concerning the form of the new central government had been settled by February, 1808, and the completed scheme was submitted to the king on the eve of Stein's departure for Berlin to take up his negotiations with Daru. In his absence no one brought the king to the point of signing the necessary decree, and when Stein failed to secure the evacuation of Prussian territory there was no immediate need for a comprehensive scheme of national reorganization.

The best that could be done in this field in the summer of 1808, when Stein and the reformers were absorbed in plans for an uprising against the French, was to unite, rename and amplify the immediate commissions which had done such good work, and to continue the large powers exercised by the one existing ministerial department of the General Directory, that for East Prussia under Schrötter. The "General Conference," a sort of officials' parliament, sat weekly throughout the fall of 1808 under Stein's presidency, and to it were submitted all Stein's further plans for reform in the administration. Stein urged as a scheme for reorganizing the central government a modification of his completed plan, which would have given a powerful national council, under the presidency of the king

or a minister selected for a short period, and composed not only of the five strong ministers but also of the princes of the blood, privy councillors in charge of bureaus, and numerous other officials, including some other privy councillors without portfolios. Among this latter number Stein counted himself, in view of the certainty in the fall of 1808 that he could not long hold openly his present official place. Even this plan, which was decreed on November 24th, the day of Stein's retirement from office, was never carried out by his immediate successors, and the scheme inaugurated by Hardenberg in 1810 was essentially different, chiefly by reason of the autocratic power it conferred upon the prime minister or chancellor, as Hardenberg preferred to call himself.

Only one measure proposed by Stein for the betterment of provincial administration attained the status of a royal decree, and that on December 26, 1808, four weeks after his fall. This was the institution of three Superior Presidents to serve as representatives of the central government over a group of provinces, each to mediate between Berlin and the chambers in his area, and coöperate with the commander of the army corps assigned to the same group of provinces. The powers of a fourth Superior President for Berlin were never defined nor an appointment to it made. The office fell into neglect before 1810, and its continuous history in Prussian administration really dates from its revival in 1815. Stein's favorite idea of lay representatives in the chambers of war and domain was tried out only in East Prussia and then abandoned in 1812.[3]

There remains for consideration the field of local government. It is here that Stein achieved his greatest

[3] *Cf.* Pertz II, 292, and Sybel, "Kleine Hist. Schriften," I, 551.

triumph and, in the ordinance for the government of cities, November 19, 1808, left behind an enduring claim to the veneration of the friends of self-government in every land.[4]

In the history of municipal life in Brandenburg-Prussia there is little necessity of dwelling on the glories of the centuries when the free imperial cities and their leagues were centers of German commercial and civic life. The cities of the North German plains and of the Baltic littoral of the lands of the Teutonic Knights played but a small part in those great days. Some of them had belonged to the Hansa and shared in its prosperity and power. And towns like Berlin-Cölln and Königsberg had at one time felt strong enough to resist somewhat belligerently the power of their Hohenzollern rulers. But self-government by the burghers of the cities of the Mark, if it ever really existed, and of the Duchy of Prussia, soon passed. Municipal independence and autonomy like that of the

[4] The literature on city conditions and the city ordinance is extensive. See the volumes by Bassewitz cited in Chapter vii, Note 9, on conditions in the Mark of Brandenburg up to 1810; also "Acta Borussica," Vol. VI, Pt. I; Lancizolle, "Grundzüge der Geschichte des deutschen Städtewesens, etc." (Berlin, 1829); W. Humboldt, "Gesammelte Schriften," XII, 527. The centennial of the edict in 1908 called forth several excellent monographs. See Clauswitz, "Die Städteordnung von 1808 und die Stadt Berlin" (Berlin, 1908); E. Petersilie, "Entstehung und Bedeutung der preuss. Städteordnung" (Leipzig, 1908); H. Wendt, "Die Steinsche Städteordnung in Berlin," (Breslau, 1909); J. Ziekursch, "Das Ergebnis [der] Städteordnung Steins etc." (Jena, 1908). Hintze's review of Ziekursch in *Forschungen zur Brand.-Preuss. Gesch.*, XXII, 283-85; Loewe's review of Wendt in Conrad's *Jahrbücher*, 1911, pp. 509-511; and Otto Gierke's review of Wendt and Clauswitz, *ibid*, 1912, p. 369 ff., are not only excellent summaries but make independent contributions. Among many excellent articles one might recall the essay by Hugo Preuss ("Ein Jahrhundert städtischer Verfassungsentwickelung") in *Städtische Zeitung*, VI.

feudal barons had only a brief and stormy history and by the prosaic means of a beer tax the Electors had by the beginning of the sixteenth century ranged the cities of the Mark in the ranks of those who contributed to the revenues of the central government.

The Thirty Years' War finished the work which had been begun by the decline of trade and commerce and the degeneration of the guilds into nepotism and industrial decrepitude. Fire and sword and pestilence in Germany's long fratricidal struggle wiped out towns which have never appeared again and reduced others so that only by the middle of the nineteenth century did they again number as many inhabitants as they had at the opening of the Thirty Years' War. Berlin sank in the course of it from 12,000 in 1619 to 6197, Frankfort on the Oder from 13,000 to 2366, and Magdeburg from 23,000 to 2464. Economically and politically the burgher class had to yield to the leadership of the agrarian noble and the domination of the territorial prince. The Great Elector in his efforts to make a modern state out of the scattered areas of which he found himself possessed after 1648 had to visit Königsberg with an army, but when Hieronymus Roth, its obstinate and hot-headed leader, died in a royal prison, the last flicker of rebellious spirit paled before the dawn of the rising dynastic state. Roth and his like were so far out of joint with their own times that they left no traditions of martyrdom to hallow a city autonomy that had never had significance in Brandenburg-Prussia by virtue of its own historic past. Such a past was the creation of the cities of South Germany, the Rhine valley and the great trio of the Hanseatic League. Its glories, like those of imperial Germany, were a common historic heritage to all Germans

and a living force for all those whose political thinking was deep-rooted in the nation's past, and among these must be named the imperial knight who was now chief minister of the Hohenzollern king and leader of the reform party.

The legal status of the cities of Prussia before 1806, and their place in the state and the forms of their government, had been fixed in the one hundred and seventy-eight paragraphs of the Prussian code of 1794. But as these provisions are only an orderly summary of the various decrees of the eighteenth century, any reform of city government, like almost all administrative change, really dealt chiefly with the measures of Frederick William I and with such remnants of the past as his centralizing zeal had left undisturbed.

The cities of Brandenburg-Prussia at the opening of the eighteenth century were distinctly in need of thorough housecleaning. They were, in the words of Schmoller, the most profound student of this period, "sinkholes of fraud and corruption," with a government by a patrician, self-perpetuating council responsible neither to the sovereign above them nor to the citizens whom they choose to look on as "subjects." Only a few "deputies," chosen frequently by the council itself, not from the body of inhabitants but from the four chief guilds, served to preserve any reminiscence of self-government. Now, Frederick William I had no interest in the regeneration of civic spirit or municipal pride or in a wider basis for municipal suffrage. But he did love order and economy, and in the business of filling his coffers it was essential that the excise tax collected at the city gates should be properly administered. Neither did he propose to see commercial life decline and perfectly good garrison cities

degenerate into pestilential sinkholes. The city needed the heavy hand of the state quite as much as the sovereign needed the help of the cities.

Brevity compels the omission of any genetic account of the measures taken by Frederick William I for municipal reform. As in many other administrative matters his policy toward the cities had to a certain degree been forecast by his grandfather, the Great Elector. The latter's system had been continued, modestly if not very vigorously, under his son Frederick, the first king of Prussia. But when all is said that historical justice requires, the years 1713 to 1740 remain the era in which was laid the foundation of that Prussian administrative system which lasted until 1806. Nowhere was this more evident than in the matter of city government. There was no general ordinance, but by a series of special decrees for various cities the irresponsible, oligarchic rule of unwieldy and changing councils with power to co-opt their own membership was replaced by smaller permanent salaried councils whose members were approved or named directly by the king. They were held strictly accountable for their acts, and a royal tax commissioner was made the all powerful agent of the central government. There was a commissioner for each group of ten or a dozen cities, who was a sort of *missus dominicus* for the provincial chamber of war and domain. At least three months of every year he spent in journeys of inspection and was expected to visit each city in his district at least twice a year. All accounts had to be laid before him, and all acts of any but the most routine character had to receive his approval or be held up until the provincial chamber or the General Directory, or even the king himself, had approved them. Every visit was preceded

by a formidable list of questions, to which the city council must be prepared to give detailed and satisfactory answers when the dreaded royal inquisitor descended upon them. Their power to tax or to spend money depended upon the approval by the commissioner of the detailed budget submitted to him. Often these financial matters were reversed, for the central government and Frederick William I forbade any expenditure without his consent for building purposes in excess of six thalers. Inefficiency and corruption were hunted out ruthlessly. The administration of the excise tax, which furnished the chief contribution of the cities to the royal treasury and therefore to the support of the beloved army, was a subject with which the agent of the royal government was especially charged. The many duties of the tax commissioner were more than one man could perform to the letter. He required careful reports from the city officials and in many minor matters was aided by subordinate inspectors. As much of this financial and administrative reform was for the benefit of the army, Frederick William I tended to let the commandant and officers of the local garrison play a large part in the city government. All the military, with their families and servants, were exempted from the jurisdiction of the municipal courts. The commandant was expected to make long reports to the king about all municipal matters that came under his notice. It was characteristic of the exaggerated importance which the king assigned all things military that he would believe these reports as against those made by the civil officials. Matters in the city that were chiefly of importance to the military were assigned to their control or to that of joint commissions upon which they sat. It is fairly clear that if you have

a professional soldier's viewpoint most things municipal or otherwise have a military significance. It is not surprising then that the local commandant should have something to say about taxation, paving, sanitation, the abolition of straw roofs, the price of bread, and innumerable other matters. That the army officer made full use of his powers, and sometimes brutally exceeded them in his treatment of citizens and city officials, scarcely needs demonstration to those who have heard contemporary reports of the same thing two centuries later. It was the tax commissioner, however, who stood out as the chief agent of this pitiless process of purification and centralization. The protests of selfish local interests, the objections of judges to administrative justice and to commissions and commissioners exercising powers hitherto reserved in municipal affairs to the courts, the rights of private and vested interests as against the general good and the welfare of the state and the authority of its sovereign, the voice of pacifism against an extreme militarism that strained every resource of the state—all these fell on deaf ears when addressed to Frederick William I. As the cities had hitherto served neither their citizens nor the state nor any large and beneficent purpose, little sympathy need be wasted upon them when they, too, were crushed and remade by the administrative reconstruction of the royal drill sergeant.[5]

Neither Frederick the Great nor his successor made any essential changes in the framework of city government as it was established between 1713 and 1740. Frederick somewhat relaxed the directness of control

[5] See Schmoller's essays on city government under Frederick William I in *Zeitschrift für preussische Geschichte und Landeskunde*, Vols. X, XI, XII.

over the choice of the city council and tended to accept the names of those mentioned to him by the council itself. The large powers of the tax commissioner in the supervision of the excise taxes was broken between 1766 and 1787 by Frederick's experiment of turning over the collection of this tax to a highly unpopular body of French officials. More important was the growing tendency to appoint as tax commissioners, city councillors, and as city officials of all kinds, former officers and soldiers. Their virtues were purely military, obedience and subordination. As civic officers they were almost wholly lacking in technical training. Their complacent belief that they had already served their country resulted, especially in the case of minor city officials, in the negligence of their new duties. Others were overzealous. The minute supervision of all affairs down to the repair of the town clock, the reference of petty matters from one official to the next in the hierarchy, the long delays thus produced, the absorption of even able and well intentioned officials in endless writing and filing of reports, the constant emphasis upon more returns from the excise tax and larger surpluses from the cities' holdings in lands and forests, the failure to provide efficient schools, proper sanitation, paving, lighting, fire protection,—all these matters need to be recalled, not in order to give a dark background against which to limn a reformer's work, but to recall the fact that Prussian cities were in the same material condition at the close of the eighteenth century as were those of most countries of western Europe.

The whole efficiency of this highly centralized government depended upon the driving power of the sovereign and the General Directory in Berlin. Under

Frederick William I and Frederick the Great the machinery was kept steadily keyed up and active. Under the easier-going rule of Frederick William II and Frederick William III the machinery ran more sluggishly. The reforms of the eighteenth century had rescued the cities from the quagmire of corruption into which they had sunk. They had been purified, their citizenship assigned its place and tasks as an "estate" supplying the financial support in a military state which usually exempted them from conscription. All this can be read in the code of 1794, which simply unified and generalized the municipal conditions established during the preceding sixty years. It might do for Frederick the Great to boast that he could carry on a war and no city be disturbed in its industry and commerce; but when the whole state collapsed, nothing was more shocking than the apathy and indifference of the residents of the cities, and their middle-class readiness and satisfaction in laying all the blame on the feudal aristocracy in the army officer corps. The resistance of the city of Colberg, after the battle of Jena, under the leadership of Major Gneisenau and its old burgomaster, Nettlebeck, is so exceptional that it fills many pages of German histories; but the great mass of city residents hardly needed the official advice of the Prussian commandant at Berlin after Jena, that "The first duty of the citizen is peace and quiet."

Certainly there could be no better field in Prussia than the cities for the application in concrete legislation of the ideas on local self-government contained in Stein's Nassau Memoir. No element in the state needed more the revivifying influence of civic responsibility and political training. Nothing in all that has been said so distinctly reveals it as the fact that, with

one possible exception, no voice from the cities was raised to demand that they be shaken out of their indifference.

This one exception to the general lethargy of Prussian cities after 1806 was the city of Königsberg. In the course of the war the city had been occupied and levied upon in turn by allied Russians and the hostile French. It was now the temporary capital and the center from which Frederick William directed the remnant of his possessions. Its city government was in no way fitted in framework or personnel to discharge the functions thrust upon it by the penalties of war or the privileges of peace. One of the minor legal officials of the city, a certain Brand, set himself as early as December, 1807, the task of drafting a plan for modifying the local city government. He submitted his ideas to the municipal council in Königsberg and they worked out a modification of Brand's ideas. The president of the local chamber of war and domain, Auerswald, to whom a copy of the Nassau Memoir had been submitted in January, 1808, seized upon those passages referring to local government and was emboldened to write out a criticism of existing municipal conditions, together with some suggestions for the reform by the introduction of elected representatives of the citizens. Still another official, a commissioner for commerce and manufactures in Berlin, temporarily stationed in Königsberg, put upon paper his views of the present evils and of the possible, although doubtful, advantages of the participation in city government of unsalaried, elected popular representatives. This was in April, 1808.

It was Stein's idea, as the Nassau Memoir shows, to make the reform of the cities part of a general plan

of administrative reorganization. He was not himself directly experienced in city government and its details. He was at this time, moreover, a much burdened minister. Naturally, then, the task of working out the law in its details had to be intrusted to others. It may, however, be said of the law for municipal reform that Stein made it the subject of his special interest in a greater degree than any other important legislation connected with his name. Whatever its details, they were subordinated to his oft-repeated fundamental idea that the chief task was the creation of civic sense through the participation of the community in its own affairs. Others were enlisted in the cause of this particular reform, but its actual completion was the result of Stein's persistence in keeping the matter before the king, and of holding his collaborators to the completion of the task he had set them.

Stein had taken no overt step in the matter before he left Königsberg, February 29, 1808, for the negotiations with Daru in Berlin. These detained him until June. On his return there was still further delay, due to the fact that at first municipal reform was held to its subordinate place in the plan for general reorganization. The measures for reducing the number of officials and reorganizing the temporary central administration took precedence. This delay was not, however, serious. The matter had been initiated by Stein's request, June 25, to the president of the provincial government for East Prussia, Schrötter, to submit plans for the reorganization of four fields of local government, one of which was that of city government. Schrötter promptly apportioned the tasks among his subordinates. One of them, a certain Wilckens, was assigned to draft the municipal plan with the help of a

colleague. Wilckens's task was finished on September 6 and laid before Stein a few days later. This draft was made the subject of criticism by Stein and his colleagues in the so-called General Department. The provincial department, guided by Schrötter, responded with the necessary changes or explanations through the medium of Wilckens's pen. The membership of both groups then held a joint conference under Stein's leadership. The final draft was submitted for his approval on November 13. On November 19 it was proclaimed by Frederick William III, with the countersignatures of both Stein and Schrötter.

In this compressed chronology it is worthy of comment that the faithful and clear-headed Wilckens had worked out in about nine weeks the long and detailed draft which, almost unchanged, became the law of November 19. Wilckens should have due credit for this and has received it. Recent studies of the genesis of the city ordinance have made it clear, however, that much material and several suggestive drafts were placed at his disposal in the course of his work. When he started he had the one hundred and seventy-eight paragraphs on city government in the code of 1794, the Nassau Memoir, and two memoranda upon the subject, one of which was that sketched in January by Auerswald. From the first he took over verbally only six paragraphs, two of which were stricken out in the conferences. Many ideas of the code, however, are embodied in other language in his final draft. Throughout July and August a series of additional drafts and suggestions were passed on to him by Stein through Schrötter. Some of these have no visible relation to the final product except as they furnished Stein with opportunities for transmitting his ideas in marginal

comments or in some such definite form as the royal letter of July 25. This was written by Stein and makes the king insist upon a plan to be submitted as soon as possible, thus lifting the work of city reform into a place where it took precedence over the other parts of the plan with which it had been associated. In this letter the king (Stein) demands a plan which shall include the idea of representation, with a view to the breaking of the present deadening chains of form and the creation of "civic pride and community spirit."

Of the names attached to the various memoirs used by Wilckens only one need be recalled here. Curiously enough it was that of a man who took no part in the conferences upon the final draft, and knew no more of the result of those deliberations until the edict was published than historians knew until a century later of his own important contribution to the form and substance of the edict. That councillor Frey of Königsberg must now be named in any work on the era of reform in Prussia, and has found a belated place in the supplement to the German "Dictionary of National Biography," is no inconsiderable by-product of the labors of Lehmann in his biography of Stein.

Frey, like his teacher and friend, Immanuel Kant, spent his whole life in and around Königsberg. After a university training in law he entered upon an official career. For fully twenty years he had been in some way connected with the government of the city of Königsberg. As director of police, in the widest sense of that word, he was really head of this city department in 1807. His experience had thoroughly familiarized him with exisiting municipal conditions. He was, moreover, a student of affairs if not a profound thinker. Able and independent, he was not bound by

official forms or fears. In 1807 Frederick William III was only prevented by Stein from dismissing him, and his undistinguished official career later has been attributed to the king's prejudice against using him in any important place. It is probable that Stein came to know him during his first ministry, when they both lived in the same house in Königsberg. The question of their mutual appreciation and reciprocal influence through interchange of views must remain, however, purely a matter of conjecture. He had been of service to Stein in the application of the income tax to the citizens of Königsberg. In his utterances upon this and similar matters Frey showed himself much influenced by the spirit and forms of the earlier revolutionary literature and legislation in France.

It is certain that, among others, Stein had appealed to Frey for his ideas on the necessary reforms in municipal government. The suggestions which Frey submitted, about the middle of July, were transmitted by Stein, with his comments, both to his own colleagues in the general commission and to Schrötter of the provincial government, who was officially charged with the preparation of the law. This first draft of Frey's, a second less important and undated general communication with his ideas on the powers of the police, and a third, dated August 28, on the rights and duties of citizens, were all placed before Wilckens in the course of his labors. Frey accompanied the latter with an important essay on the proper organization of the municipal business of a city like Königsberg. A comparison of the final draft by Wilckens with Frey's plans shows clearly how, in paragraph after paragraph, the municipal code is built in many essential provisions upon the suggestions, even the wording, of Frey's com-

munications. Lehmann has pushed the process of comparison one step further and shown that two strikingly phrased paragraphs, taken over from Frey, are in their turn translations from the French municipal legislation of 1789-1791. They are interesting proofs of the attraction for a man like Frey of the sweeping maxims to which the Revolution had given extraordinary currency. His drafts are equally sprinkled with French names for city officials. For these Stein at once substituted German words. Stein's vigorous antipathy to things French and to the French Revolution were never more sharply stated than in his comment, at this time, that "this fatal imitation of things French must be avoided."

It is a curious conjuncture, and one easily leading to historical misinterpretation of the character of the city edict, that it should have been so largely the result of the joint labors of a man like Frey, who was saturated with the vocabulary if not also the ideas of revolutionary France, and of Stein, who was so thoroughly German. That Stein and the Prussian legislation of this period were not unaffected by the spirit of the age and its phraseology is no new or profound historical observation. To infer from this that he sought models in the legislation and institutions of France in the early years of the Revolution is an unnecessarily exaggerated method of expressing his relations to his times. The age was not so much French as it was revolutionary. That the city ordinance could both break the path for the new age in muncipal government, and still be fundamentally German and thoroughly impressed with Stein's ideas, is reasonably evident even in the brief summary that follows.[6]

[6] The reader should be warned that in any discussion of the city

The city ordinance, with its two hundred and eight paragraphs, and the accompanying by-laws for the city council occupy thirty-seven large octavo pages in the published collection of the Prussian laws—about one-fifth of the space given to all royal legislation during Stein's second ministry.

The first salient evidence of its character is in the superscription. It is a law which deals with cities

ordinance and other administrative reforms of Stein, he is passing over hotly disputed ground. Lehmann in his three volume biography presented Stein as not fundamentally opposed to the French Revolution, and in his administrative reforms, especially the city ordinance, as its imitator. This, together with his strictures on the Prussian nobility in this period, aroused a violent *Federkrieg* in which Ernst von Meier led in his two volume "Französische Einflüsse auf preussische Staats- und Rechtsentwickelung," Leipzig, 1907, 1908. Lehmann replied in the *Preussische Jahrbücher,* May, 1908. Meier issued a *Gegenschrift,* "Der Minister von (?) Stein, die französische Revolution und der preussische Adel," Leipzig, 1908. Professor Hans Delbrück ranged himself on Lehmann's side in the *Preussische Jahrbücher,* Vol. 134, pp. 448-466. In the *Historische Zeitschrift,* Vol. 94, pp. 412-448, Hintze reviews Lehmann in an excellent summary. In the *Forschungen zur brand.-preuss. Geschichte,* Vol. 21, 313 ff. he takes a mediatorial position, inclines to Meier. *Cf.* Küntzel in Schmoller's *Jahrbuch* etc., Vol. 34, 69-90. The most discriminating comment on the city ordinance is that of Otto Gierke in his Berlin University address of January 27, 1909, published also in *Internationale Wochenschrift,* Vol. 3, 161 ff. That Lehmann has not modified his view is evident in his compressed one-volume edition of his "Leben Steins." See the writer's review in *American Historical Review,* Vol. XXVI, 779-781. Joachim makes a contribution to the relation of the various plans for city reform by showing positively that the so-called "Brandt" and "Königsberger" plans were both drafted by Brandt, *Hist. Zeit.,* Vol. 68, pp. 84-89. The controversy over the relation of the Prussian reform era to the French Revolution antedates the literature cited above. In his "Formation de la Prusse contemporaine," 2 vols., second edition, Paris, 1897, 1898, Cavaignac presented a very pro-French view distinctly hostile to Stein. His one-sided treatment was the subject of criticism by R. Koser in *Hist. Zeit.,* Vol 73, pp. 193-210 and by Bailleu in the *Deutsche Literaturzeitung,* April 21, 1894. For other literature, see foot note 4, *supra.*

only. Unlike the French legislation, it has no reference to communes irrespective of whether they are rural or urban. It is proclaimed for all cities of the monarchy and not solely for those in East Prussia which had been the object of the first proposals for reform.

It at once lays down the idea of the fullest city autonomy within the necessary limits of the definitely stated rights of the state in supervision. The tax commissioners, with all their powers of interference, are swept away. Into the hands of the citizens and their elected representatives is committed the management of local affairs. But the city is still a part of the state, and there is no such disintegration into local units as is represented by the early revolutionary legislation in France. Royal officials must approve the choice of the executive or lesser council elected by the aldermen, and the burgomaster or mayor is named by the king from one of three nominated to him by the aldermen. The administration of justice, and the exercise of police powers in the modern sense of maintaining law and order, are functions not of the city but of state officials. The central government could turn over its control of the police to the executive council (*Magistrat*), but actually did not do this except in the case of the smaller cities.

Except when they were, by the authority of the state, exercising police power, all municipal officials remained city and not state officials. Whatever may be the modern view concerning the administration of justice and the maintenance of order, there was early agreement among the framers of the Prussian city ordinance that these were state functions. Their formulation of this matter marked, however, the drawing of a clearer

distinction than had hitherto been made in Prussia between administration and justice. The emphasis of the edict was here upon the fact that the inhabitants were the subjects of the king and not of the city government nor of any local lord, for all distinctions between "mediate" and "immediate" cities were abolished.

Without anywhere defining what constitutes a city, the decree divides all cities into three classes on a basis of population. In the first class are all with a population, exclusive of the garrison, of over ten thousand; the second class includes those between three thousand five hundred and ten thousand; and the third class those having less than three thousand five hundred. The difference in government between the three classes is evident only in the number of members in the governing boards to be chosen, and in the division of the cities into wards or districts for election purposes. Population is clearly not the sole basis for a claim to city rank, for later history shows places of upwards of ten thousand inhabitants still treated as villages. The law evidently accepted the existing list of cities and left the creation of new ones in the future what it had been in the past, a matter of royal grant.

Citizenship was not, as Stein suggested, based solely on domicile. On the contrary, the inhabitants were divided into citizens and legal residents (*Schutzverwandten*). In the definition of citizenship as a privilege to be formally conferred, there is a reminiscence of the old order when guild membership was the road to citizenship. Now it was to be given, by the special action of the municipal authorities, to any resident of good character, including unmarried women who had established a domicile in the city. Only those who were citizens could own realty or carry on a trade in the

city. All those now in the latter class but not citizens must become citizens. Not all citizens, however, could vote or hold office. These duties were reserved for those who had an income of two hundred thalers in the largest cities, and of one hundred and fifty thalers in the other two classes of cities. Women were excluded from the voting and office-holding classes. All residents were subject to municipal taxation and no qualified citizen not in the list of exempted professions could refuse to accept a municipal office whether salaried or unsalaried. Duty to the community was thus exalted to the realm of legal prescription.

The central and all-powerful organ of city government was the council of deputies or aldermen, elected by the active citizens from the various wards of the city. The election was by secret ballot and attendance was compulsory for all qualified electors. The number of aldermen depended upon the size of the city and ranged from twenty-four to one hundred and two. The term of office was three years, with one-third retiring each year. The duties and powers of this body fully replaced all those hitherto exercised by the councils and tax commissioners of the eighteenth century. The management of the city property, including its sale, rental, or mortgaging, the determination of the budget, the levying of municipal taxes, the erection of buildings, the auditing of all accounts, and many other powers were in their hands. They elected the executive council (*Magistrat*) and suggested three names from which the central government selected one as burgomaster. The aldermen served without salary. They made all their decisions without the necessity of any special mandate from the electors and without reference to any district from which they were elected,

or any guild or corporation to which they might chance to belong. "The law and their election are their plenipotentiary powers, their conviction and their opinion of the common good of the city are their instructions, their conscience the authority to which they must render account." In these striking phrases, with the exception of the last translated by Frey from the French municipal law, the principle of representative government was introduced into Prussia.

The executive council (*Magistrat*) consisted of the burgomaster, always salaried, and of elected members, part of whom were technically trained and salaried, and part were unsalaried lay members. The number varied for each class of cities, with a minimum and maximum for each class. The largest cities had from sixteen to twenty-one, exclusive of the burgomaster, the second class from nine to twelve, and the smallest cities from five to seven. The salaried and technically trained members of the executive council, such as the city comptroller, city attorney, inspector of buildings, etc., gave their full time to their duties. When the state took over the control of the police, the director of police was an ex-officio member of this body. The salaried members held office for twelve years, the others for six. All must be at least twenty-six years old. This body had consultative privileges in many matters controlled by the aldermen and might initiate legislation. They possessed full powers, as the executive or administrative organ of city government, in the management of sanitation, paving, appointments of minor officials, regulation of trade and commerce, etc.

A series of unsalaried commissions, composed of city officers in combination with lay members from the

citizen body, looked after schools, churches, charities, street lighting, fire protection, preparation of tax lists, quartering of soldiers and many other public interests. These commissions were an excellent arrangement which embodied Stein's idea of securing the sound sense, the practical experience and coöperation, of the best elements of the city in the management of their own local affairs. Each ward or district of the city had a district chairman, who was in a certain sense the local executive in carrying out in his district the work of these commissions. He also presided over the district electoral assemblies.

A somewhat characteristic national touch is added in the final paragraphs, which prescribe the garb and insignia of office in the three classes of cities. The thoughtful students of this ordinance, which was so peculiarly the object of Stein's interest and is so definitely the embodiment of his central idea of local self-government as a preliminary step to a central representative body, will dwell lightly on the silver and gold chains for the new city officials, and recall rather those heavier bonds of political tutelage from which the modern city was now forever freed.

The city ordinance was not without its defects and its opponents. The old officials, dispossessed of their offices, and the landed nobility, deprived of their control over the cities on their domains, grumbled loudly about the dangers of the introduction of republican principles and the futilities of self-government for masses that had so long been in leading strings. There was frequently indifference and lethargy on the part of the very city dwellers for whose freedom and benefit the ordinance was devised. But despite all this it can safely be said that no act of Stein's was so generally

acclaimed at the time and since for its wisdom, nor has any one of his decrees been more clearly justified by its results. He is more truly than any other in German history the "founder of cities."

The ordinance was proclaimed for all the cities of the monarchy, but it was arranged that the introduction should take place in the larger cities first. Königsberg passed into the hands of its own elected representatives on March 10, 1809, and Berlin became self-governing on July 6. In all the cities the change was marked by elaborate ceremonials—religious services, singing the *Te Deum,* the ringing of bells and, in the evening, balls and the illumination of the city.

The new municipal authorities had many difficulties and financial problems growing out of the hardships of the French occupation and of the Wars of Liberation. They, however, acquitted themselves well, and the ordinance itself, despite minor defects due to the haste with which it was drawn, persisted unchanged until its revision in 1831. This revision met with Stein's approval. As some of the cities had been unwise in contracting debts and in disposing of city property, state consent was henceforth required in such transactions. The distinction between the powers of the executive council (*Magistrat*) and the aldermen were more sharply drawn, with a definite increase in the powers of the former. The number of aldermen was decreased, and the conditions upon which one might engage in business in a city were broadened. This "revised" ordinance was put in force only in the province of Saxony, in West Prussia and Upper Lusatia, areas which had been gained or regained in 1815. In the older provinces, for which the ordinance of 1808 had been proclaimed, it was open to the munici-

palities to choose whether or not they would abandon it for the revision of 1831. Only three small places chose to make the change. The Rhine provinces, it should be said in passing, remained under French municipal law until 1850. In that year, following the revolution of 1848, which was essentially a middle-class movement, the Prussian government proclaimed a general revision of city and local government, but suspended it in 1852. Shortly thereafter, during the reaction following 1848, the city government of Prussia was modified by a series of three laws, in 1853 and 1856, for the eastern provinces, Westphalia, and the Rhine provinces. The variations between these are not great, and the chief change from the Stein ordinance, both in these ordinances and their modifications as proclaimed after 1866 for Hanover, Hessen-Nassau and Schleswig-Holstein, is the increased state supervision in matters where the cities were autonomous under the original ordinance. Each suggestion of change has given the opponents of centralization and the government bureaucracy an opportunity to sound again the praises of the wisdom and far-seeing statesmanship of the reformers of 1808. Municipal self-government, as embodied in Stein's great measure, has made the round of the world and is justified by its works. Its place in the history of Prussia and modern Germany is defined in the following words by one of the ablest contemporary students of municipal institutions: "It is not surpassed in its significance for public life and public law by any other organic legislation of the century and equalled only by the constitution. Indeed, the fundamental idea of the constitutional state here first received its effective legal expression upon Prussian soil, four decades before that idea had trans-

formed the national organization. As the conquest of absolutism in Prussia was the implicit condition of its leadership in Germany, for only a constitutionally governed Prussia could form the basis of a new German empire, so the liberation of political life from the deadening weight of a supervising institutional state was the first necessity for constitutional government. Consequently the renaissance of local self-government was the basis of constitutional government in Prussia. There is an intimate organic connection between the city ordinance, conceived in the years of the nation's deepest abasement, and the foundation of the Empire in the age of its greatest power.'"[7]

None of the reforms instituted during Stein's second ministry is more important or more characteristic than that of the army. The chief credit here is due directly to General Gerhard David Johann Scharnhorst, a Hanoverian who had been drawn into the service of Prussia in 1801. The story of military reorganization under Scharnhorst's leadership cannot, however, be omitted from a biography of Stein, because the most casual independent account of this significant reform would be incomplete if it did not give credit to the steady support of Stein and of his independent judgment and sturdy assumption of responsibility at critical points in the work of Scharnhorst and his military colleagues.

In a state like Brandenburg-Prussia, with no frontiers and surrounded by hostile neighbors, national defense and the army had early assumed fundamental importance. The essential intimacy between militarism and the maintenance of independence and the estab-

[7] H. Preuss, "Das städtische Amtsrecht in Preussen," p. 1, (Berlin, 1902).

lishment of territorial unity had been evident in the centuries before the Hohenzollerns, when both the Mark and the Baltic possessions of the Teutonic Knights were simply German military colonies on the eastern frontier against the Slavs. Their dynastic union under the Hohenzollerns, together with the acquisition of scattered possessions in the Rhine valley and in Westphalia in the first half of the seventeenth century, had sharply emphasized the necessity of a strong central government served by its own military and civic armies. Fortunately for Prussia the Great Elector saw clearly the problem created by the new situation, and made clearer during the Thirty Years' War and by the futility of the provincial estates and an army of mercenaries recruited by contract. He laid the foundations of a bureaucracy and an army that owed their chief allegiance to the dynasty and took their inspiration from orders issued at Berlin. Frederick William I had gone much further along the same road. His especial devotion had been to the army, and all problems of Prussian internal government and of foreign policy have since his day been viewed from the standpoint of the efficiency of the military arm. He raised the army from thirty-eight thousand to eighty-three thousand, and filled his treasury that the money might be lavished on military preparation. His fundamental idea was the ultimate introduction of universal military service, but the numerous exemptions in favor of cities, districts, professions and individuals prevented its realization. The elevation of the profession of arms in social and political importance was a matter of his constant solicitude. To the prevalent system of mercenaries he added the "canton system," already explained in an earlier chapter, by

which each regiment was assigned a district or canton of a certain number of hearths. The regimental officers kept a census of the peasant sons and filled their ranks from this class. The nobles were drawn into the military service of the king but had as yet no monopoly of officers' places. Recruiting officers scoured the neighboring states and cities for professional soldiers and idlers who might be hired or cajoled or bullied into wearing the Prussian uniform. A system of rigid and even brutal discipline welded native peasant and foreign mercenary into an effective fighting force. The army, the new bureaucracy, the well filled treasury and diplomatic grievances were the chief heritages which he passed on to Frederick the Great in 1740. The history of Europe in the eighteenth century is a revelation not only of Frederick's genius but of the marvelous efficiency of the Prussian army as the final instrument of an aggressive and unscrupulous diplomacy. Frederick's campaigns suddenly revealed to Europe that Prussia under his leadership was a first-rate military power. The organization of the army was but slightly modified under him. The "canton system," foreign recruiting, the rigid discipline and the retention by the officers of the surplus support funds when the regiment was on a peace footing were maintained. But the whole state and the army were distinguished by the drawing of lines between classes or "estates." Under Frederick the Great in his later years the army was officered almost solely by nobles. At fourteen years of age the son of a noble could enter the army, and in a few years, after a totally inadequate schooling, he was given rank and command over veterans of many campaigns. The military machine, like every other organ of the state, was under Frederick

kept keyed up to a point of relative efficiency by the incessant efforts of the sovereign and the exigent demands of the problems set by his diplomacy. "*Toujours en vedette*" was his motto, and the prestige of his successes concealed the weaknesses in a military system which the more peaceful diplomacy of his successors failed to readapt to the conditions created by the victories of the revolutionary and Napoleonic armies of France. The words of Queen Louise after Jena remain essentially true: "We went to sleep on the laurels of Frederick the Great."

With one possible exception no Hohenzollern sovereign since the Great Elector has failed to grasp the vital relation existing by historical necessity in Prussia, certainly till 1871, between the army and the policy prescribed for its rulers by national safety, dynastic ambition and the alternative of territorial extension or political extinction. Frederick William III, although far from possessing any ability in military matters or any thorough grasp of the new world in which he lived, had nevertheless an uneasy feeling that his army needed reform. But there was a great gap between vigorous action and the timid questions he formulated as to the advisability of doing this or that. The battle of Jena, the surrender of fortress after fortress by their timid and unprepared commanders, and the humiliation of the despoiled Prussian monarchy at the treaty of Tilsit, resolved doubts into certainties, converted halfway measures into a logical program, and broke the opposition in army and state of the dominant feudal military group. In the process of regeneration, which was to prepare the state for liberation and the newer nationalism, nothing was more fundamental than the military reforms. It is charac-

teristic of Prussian history and historians that, in the whole list of reformers, they have awarded the predicate of great alone to Scharnhorst, the son of the Hanoverian peasant and the intellectual father of the Prussian army in the nineteenth century.

Scharnhorst had been born in the electorate of Hanover, the son of a well-to-do but litigious peasant whose contentions over the division of the estate of his wife's parents so reduced him that the son was educated by the favor of a patron, Duke William of Bückeburg. This interesting person had devoted himself to military science and policy and founded a school for the training of officers. Scharnhorst had the benefit of an introduction to his career by one who believed in adequate education as the first essential for an officer. Scharnhorst passed into the Hanoverian service and distinguished himself by his thoughtful writings on military topics and the editorship of a scientific military periodical. Promotion was slow under the Hanoverian oligarchy that ruled the electorate for the absent George III. After a number of years of negotiations, Scharnhorst in 1801 accepted an offer from Prussia, and Frederick William III ennobled him as further security for his future career and that of his sons in the Prussian army.

Scharnhorst became an instructor in the school for cadets in Berlin. His penetrating and studious intellect revolutionized the whole basis of the academy's work and gathered about him as pupils the best of the younger men in the officers' corps. His most distinguished pupil was Clausewitz, one of the ablest expositors of modern military science.

Scharnhorst the student, the theoretical foreigner, looking more like the traditional absent-minded pro-

fessor than a great military leader, won a hold on Frederick William III that was more effective in leading the king to action than even the influence of the courtly and tactful Hardenberg or the outspoken and decisive Stein. Under an unprepossessing exterior he concealed a strength of will and a persistence that won alike the timid and pedantic king, the dashing Gneisenau, the sturdy Grolmann, students like Boyen and Clausewitz and men of action like Stein and Blücher. High-minded, objective, patient, scholarly and unselfishly patriotic, he threaded his way through intrigues, around opposition, and over ignorance and prejudice to a secure place in the confidence of all thoughtful men. His appointment after Tilsit as head of the military reorganization commission was as inevitable in the eyes of the patriots as the calling of Stein a few months later.

In the reorganization of the administration Stein found the king too uninformed to offer opinions that might have proved a hindrance. In the field of military matters Frederick William III thought himself entitled to an opinion. The military commission was at first balanced in its membership between the representatives of the old order and Scharnhorst and his friends. All direct reports to the king were made by one of the most narrowly bigoted of the opponents of military reform. Skillfully and firmly Scharnhorst worked to bring about retirements and appointments so that by the beginning of 1808 the reformers were in control. Stein gave his powerful support to the move which made Scharnhorst the voice of the commission in all reports to the king. From that day the work of military reorganization went forward rapidly. On August 3, 1808, the king's birthday, the main features of their

program were decreed, while the triumvirate of Stein, Scharnhorst and Gneisenau were eagerly planning for a national uprising against the crushing oppression of the French occupation. These reforms were to prepare the way for the work which Scharnhorst proclaimed, in words instinct with the fundamental idea of the age of reform and regeneration: "To inspire and elevate the spirit of the army, to fuse more intimately the army and the nation, to give it an impulse toward its great and essential purpose," and again in a letter to Clausewitz in 1807: "If it were possible after a series of privations, after boundless sufferings, to raise ourselves from ruin, who would not sacrifice everything in order to plant the seeds of a new fruit? Who would not gladly die if he might hope that they would spring up with new power and new life? But in only one way is this possible. The nation must be imbued with self-reliance, it must have an opportunity to stand by and for itself. Then and then only will it have self-respect and inspire respect in others. To work toward this end is all that we can do. To destroy the old forms, to burst the bonds of prejudice, to bring the new birth, to cherish it and see that nothing fetters or hinders its growth—more than this does not lie within the limits of our power."

Scharnhorst's fundamental idea was to make every citizen of the state its active defender through universal military service. But neither in 1808, 1809, nor in 1811, was the cautious king to be won to the proclamation of an idea which might give him a popular, unprofessional and democratic army. His distrust was not removed by the uprising of 1813, with its demonstration of the value of a national army drawn from all ranks of the citizen body; but Scharnhorst's disciple and associate, General Boyen, made use of the com-

pelling logic of events to win the king's consent to the proclamation of universal military service on September 3, 1814. No other statute of the nineteenth century has so profoundly influenced the history of the last one hundred years.[8]

The work of the Military Reorganization Commission in 1808 purified the officers corps by the retirement of the inefficient and aged who had shared in the disgraceful collapse of 1806-1807. Henceforth the career of officer in the Prussian army was open to all qualified citizens and could not legally remain a practical monopoly of the nobles. Training and tested merit were to be henceforth the basis of appointment and promotion. The "canton system" remained but was somewhat modified and foreign recruiting was abolished. Citizens of Prussia were henceforth to form the national defense through service with the colors and then in the reserves of the *Landwehr* and *Landsturm*. Exemption from service of whole cities, districts and classes was abolished. With the formation of a national army, drawn from the ranks of the educated and well-to-do as well as from the peasantry, went the abolition of brutal and degrading punishments. The work of Scharnhorst thus went hand in hand with the work of Stein in his warfare on social distinctions and serfdom in landholding.

The minister supported the military reformer at every step. His vigorous reply to the opponents of conscription may well be quoted as typical of his views: "It is the right of the state to demand of its subjects the defense of its independence and integrity, it is an inalienable right. To leave it to the discretion of a monarch to remit this obligation of his subjects for all

[8] The literature on the military reforms is cited in the article by G. S. Ford on Boyen's law, *American Historical Review*, April, 1915.

time and without regard to the general interests would be to grant him the right to render a state defenseless and dissolve it." Stein went even farther, for he supplemented Scharnhorst's plans by suggesting the introduction of some form of military training in the secondary schools.

Even if Frederick William had been more hospitable to the idea of universal military service, considerations of the position of dependence upon the French in which Prussia found herself in 1808 would have made its proclamation inexpedient. After the Franco-Prussian treaty of September 8, 1808, it was impossible. By this instrument the formation of a national militia was prohibited and the Prussian army was not to exceed 42,000. But Scharnhorst, who survived the fall of Stein and the vigorous attacks of military reactionaries, skillfully neutralized the latter prohibition by the so-called "Krümper system," by which each month three to five new recruits were added to a company and an equal number who had been trained were given furloughs.[9] In this way the number of trained citizen soldiers in 1813 was not 42,000, but approximately four times that number. No part of the work begun under Stein more completely and immediately justified itself during the Wars of Liberation (1813-1815) than did the military reforms. The nation, rushing to arms almost before the king had spoken the decisive word, renewed permanently the exiled Stein's wavering faith in the Prussian people and the Prussian state. It carried Prussia back into the ranks of the leading European states and revealed the fact that the reform era had changed Prussia from an army with a state to a state with an army.

[9] See *Historische Zeitschrift*, Vol. 58, 54 ff. Also Cavaignac, "La formation de la Prusse," I, 401.

CHAPTER IX

Envoy in Exile for German Liberation

Stein remained in Königsberg only long enough to see his successors in office, then he set out for Berlin, where he was joined by his wife and children from whom he had been separated since September, 1807. Only a few weeks of reunion were granted them. Stein knew that Berlin could not be a permanent residence for him in such proximity to the Prussian court if the king and queen should return to the capital. He would not return to Nassau, now under the sovereignty of Napoleon's brother Jerome, king of Westphalia. His tentative plan was to settle in Breslau for the sake of the education of his children, the eldest daughter being now twelve years old. Here by economy he could make his promised pension do him. His estates in Nassau had been confiscated, and the Polish lands he had bought had been devastated by war and were an expense, for they were burdened with taxes and interest charges for the unpaid mortgage. Not even this prospect of a life of retirement and quiet were granted to him for long.

In the midst of the Spanish campaign Napoleon had never for a moment lost sight of Stein. Indeed, the very character of the Spanish national movement may have made him more keenly alive to the necessity of breaking Stein's power. On November 13, in the proclamation which recited the taking of Burgos by storm, he had mentioned the superiority of the French legions over the undisciplined Spanish patriots

as a lesson for men like Stein, who dreamed of shaking his power by the summoning of untrained peasantry to revolt. Stein's withdrawal from the ministry freed Napoleon from any consideration for him as a Prussian minister, and he was definitely determined to be rid of him as a possible center around which the Prussian patriots might rally. On December 16 he issued from Madrid a decree of exile and outlawry against "a certain Stein," because he was seeking to foment trouble in Germany. He was declared an enemy of France and of the Rhine Confederation, and his property was to be confiscated and he himself seized and held as a prisoner by the French troops, wherever they might find him. The Prussian king was informed that no envoy would be sent to Berlin unless Frederick William exiled Stein. "You should go farther," continue the directions to the French minister of foreign affairs, "and demand by a letter to the Prussian ministry that this person shall be surrendered as a traitor employed by the English to embroil the two courts. Present the matter vigorously to the Prussian ministry in Paris. Write to my consul in Königsberg to take it up with the king of Prussia, and let it be understood that if my troops capture Stein he will be shot."[1]

Fortunately for Stein, neither Champagny, the minister of foreign affairs, nor Saint-Marsans, the French ambassador to Berlin, was quite so ruthless as his master. On the very day of the receipt of the decree in Berlin, January 5, 1809, Saint-Marsans let Stein know by way of the Dutch minister what was impending. If Stein left at once, he would consider him as off Prussian soil. Committing his family and his property to

[1] Lecestre, *Lettres inédites de Napoléon I*, 259. Letter to Champagny, Dec. 16, accompanying the decree of outlawry.

the care of friends and relatives, Stein fled that night for the Austrian frontier, avoiding by detours and by traveling at night any danger of falling into the hands of French troops. Friends of his earlier days, and patriots who had supported his ministry, gave him aid in his flight and concealed him at the border until the arrival of an Austrian passport. A week after leaving Berlin, he was safely beyond the mountains in Bohemia. It was New Year's Eve when he crossed the mountains. "The night was beautiful, the temperature mild, the heavens now clouded, now clear, all nature peaceful and reverent. Calm rested on the dwellings of men past which we sped. On such a night and in such surroundings, the soul is in a mood which appraises at its worth all things human, no matter how stupendous they may seem." And a year ago, he recalls, he had read to his loved ones Schleiermacher's sermon, "On what men should fear and what they should not fear."

Stein was not to touch Prussian soil again until four years later; and the peace and quiet he had sought came only after the triumphs of the Wars of Liberation had exiled the conqueror who had proclaimed his banishment.

Napoleon had made Stein an outlaw and immortal. Stein's own feeling, expressed in Goethe's words, were truer than he knew:

> "Macht und Güter gehören der Erde.
> Er ist ein Fremdling, er wandert aus
> Und sucht ein unvergänglich Haus."

Stanton at the deathbed of Lincoln spoke the judgment of all time of his martyred chieftain with the simple words: "And now he belongs to the ages."

Gneisenau, writing from Königsberg of the edict of banishment, voiced the opinion of Stein's friends and of history: "Before this you belonged only to the Prussian state, now to the whole civilized world." Napoleon had failed again, as he did when he executed the Duke d'Enghien, when he shot the bookseller Palm, and sent Andreas Hofer to death,—failed as he did when he drove Madame de Stael into exile or sought to break the moral leadership of Queen Louise by slanderous inuendos. He had failed as he and his kind always will fail when they seek to destroy the influence of personalities that embody a moral force or represent consciously or unconsciously some great principle. Henceforth Stein, the outlaw and the exile, was dedicated by the decree of the oppressor to the overthrow of oppression. No single nation forevermore could limit his mission or bound his power. He was minister plenipotentiary of the German people to every court and cause that labored for liberation and for national unity.

Stein had fled toward the Austrian frontier because it was the nearest and could be reached with less danger from capture by the French soldiery. He did not know where he might find on the continent a permanent refuge. In a hasty note to Frederick William, despatched on the eve of his departure from Berlin, he had asked for his intercession with the Czar Alexander. This good office the king willingly performed, and in due time Stein received permission to take up his residence in Russia. Equally interested friends, among them one of his old Göttingen classmates, now high in Austrian service, supported Stein's request to remain in Austria-Hungary. Count Stadion, then at the head of the Austrian ministry, coöperated heartily, and by a curious line of argumentation in which he

represented Stein to the suspicious and narrow-minded Emperor Francis as a conservative, he was able to obtain the latter's consent to Stein's taking up his residence, not in Prague but in Brünn, the capital of Moravia. Prague was already considerable of a rendezvous for ex-Prussian officers and officials, and Stein's safety and Austrian peace might be easily imperilled by their indiscretions. Stadion graciously added that he would like to have Stein nearer Vienna. Stein left Prague with some regret. Its attractive environment, and the group of men with whom he had come in contact, including Frederick Gentz, the brilliant belle-lettristic politician, had made him quite willing to settle there. By March 1 he was domiciled in Brünn, where his family came to share his exile and its hardships.

Brünn, although perhaps not so attractive as Prague, was not without advantages as a residence city. It was then as now the center of a prosperous and fertile area and the main mart and manufacturing place for woolen products. Joseph II had given it an excellent park, lying just outside the walls of the older city, whose narrow and crooked streets still gave it a distinctly medieval touch. Its relative nearness to the Silesian frontier of Prussia, and to Vienna, would enable Stein to keep in touch with friends in both Prussia and at the Austrian capital. It may be added that keeping watch on Stein in Brünn would be a simple task for the Austrian police, whose records of his movements and copies of his letters are still part of the Viennese archives.

The days at Brünn were not without their cares and worries concerning the matter of income and expenditures. Stein had been a man of property, with a private income that made him independent

of his salary as Prussian minister. This was all changed now. Friends in Nassau had saved his household silver, library and furniture, and the sale price of these, with what ready money he had, constituted his only immediate resources. All his property on the Rhine, in Nassau and in Poland, was confiscated or put under such management as deprived him of its income. Friends were ready with proffers of aid, but his chief source of support must now be the 5000 thalers promised by Frederick William III. Stein's friends in Königsberg, and the ministry without dissenting voice, had secured the king's approval of the subsidy. The first payments, on account of unavoidable delay, were not at Stein's disposal until late in April, 1809. Later the Prussian government advanced him the money and aid which kept him from losing through foreclosure his mortgaged Polish estate. Stein felt seriously concerned about his financial position, and particularly about the future outlook for his wife and children if anything should happen to him. He sought to obtain relief through Dalberg, the prince primate at the head of the Rhine Confederation. It will be recalled that one of Stein's earliest acts was to direct the negotiations which had started this German renegade ecclesiastic on his career by making him coadjutor to the Archbishop of Mainz. The zeal with which Stein's friend Eichorn pushed his cause is only matched by the fawning fear of Dalberg to raise a finger for his former friend. Five years later, Stein as a civil administrator for the triumphant coalition had the satisfaction of removing Dalberg from the power and place to which he had risen as a sycophant of Napoleon.

In behalf of those dependent upon him, Stein was

even willing to approach Napoleon directly with a request for the return to his wife of the sequestered estates. One thing which had perhaps encouraged him to believe Napoleon was not over-vindictive toward him was the release of his sister Marianne, who had been taken to Paris as a prisoner. The request was preferred in the name of Frau vom Stein, and Stein appealed to both the Prussian and Austrian governments for their good offices. It is not known whether the request ever came under Napoleon's notice. At all events nothing ever came of the matter, and it was not until 1811, through the consideration of the Duke of Nassau, that 2000 florins from Stein's Nassau estates were paid yearly to the Baroness vom Stein.

Often in these days he talks of himself as an old man—he was 54—with only a few years of life before him. "I am too old," he writes in a letter on his sister's death, "to share in the great struggles I foresee, too young and too much interested to be a calm and patient spectator." The day of reckoning that was to come was a vision always before his eyes. Sometimes it faded, but not for long. When faith in the ultimate redemption of Europe from Napoleon's power was low, he thought of the possibility of a home in newer lands—in either South or North America. "It would be best to settle in America, in Kentucky or Tennessee, if one would enjoy repose and independence. One would find there a splendid climate and soil, beautiful rivers, and peace and safety for a century. There are many Germans there. The capital of Kentucky is Frankfort."[2]

[2] Letter to Marianne, July 9, 1811. Pertz, II, 604. He thought of South America, "pourvu que ses Espagnols y parviennent à fondre un nouvel empire sur les bases de la morale réligieuse et de la monarchie moderée." Lehmann, III, 112, footnote 4.

The thought of migration was but a passing fancy. He was chained to his rock by his own great past and by the faith of all his friends that when the day of liberation came he would be the one indispensable man. The mails and travelers that came all too infrequently told him how Gneisenau, Süvern,[3] Scharnhorst and Schleiermacher still clung to him and labored on.[4]

Condemned to inaction, Stein resorted to reading as in the days at Wetter. Now as then it was economics and history that held his interest. Chateaubriand, Herder and Frederick Schlegel he found worth comment, but to reread Adam Smith and measure against him his critics was more to his liking. History had been from his student days his first refuge. He appreciated it and thought it a necessary part of any education, because "it lifts us above the trivialities of contemporaries and makes us see what the greatest and the noblest of mankind have accomplished, and teaches us what has been destroyed by indifference, sensuality, baseness and the misapplication of great talents." His ideal age lay in the centuries when Germany was a great empire. The present, the great overwhelming revolution that had its origin in France and had ended in Napoleonic domination, was as certain to condition the life of his children as it had his own. Their education and their understanding of the history of their own times was one of his first concerns. For his daughters he wrote "A History of the Period from 1789 to 1799." His intense dislike of the French as he knew them and of the Revolution stands out in his treatment of every topic, from the meeting of the

[3] B. Gebhardt, "Die Einführung der pestalozzischen Methode in Preussen." Berlin, 1896.

[4] Pertz, IV, 571 ff.

Estates-General to the overthrow of the Directory by Napoleon. "The Revolution broke out," he asserts, "without any provocation on the part of the king, who on the contrary had voluntarily surrendered privileges he had long possessed. The people were frivolous, licentious and irreligious. The party leaders sought to transform the monarchy into a meaningless phantasy. They pursued their infamy with an unintelligent passion for novelty, without regard to the rights or f lings of their fellow citizens and by means more infamous, by riot, pillage, murder and corruption. Their hand was forced by foolhardy self-seekers who founded their power on corpses, robbery and atheism. Then these also were sent to the guillotine by their comrades. The government of the Directory, which had wavered between tyranny and pseudo-legality and had made itself despicable by its corruption and avarice, was at last driven out in contempt and without opposition by an audacious general, who has established complete autocracy." Clearly such a judgment is not historical. Certainly it is not all Stein thought about the Revolution. He had at times expressed appreciation of the work of the National Assembly, and had even commended the ruthless energy and singleness of purpose of the Committee of Safety to the patriot party, which meditated a German uprising in 1809.

In a life of such unresting activity as that of Stein, it is difficult to continue long on any picture of purely domestic or personal matters. He belonged so utterly to his times and threw himself whether in office or out so unremittingly upon any opportunity to make himself effective that the biographer is forever facing the necessity of following with explaining pen the development of problems of national and international politics.

The period we are now treating as part of Stein's biography has its own great importance from the biographical standpoint, but its background of war and international politics from the Austrian war of 1809 to the Congress of Vienna becomes so vast that historical information must be reduced to the brief reminder of a sentence or a paragraph.

Stein had to a very considerable extent lost his faith in the Prussian government and people. In bitterness and despair he condemned the state in whose name he now suffered exile and inaction. "Prussia will go down unmourned and unhonored. It will be counted a gain that a nation has ceased to exist which by its ambition in the beginning convulsed Europe, then disturbed it by its intriguing and fulfilled neither its duty to itself or the European confederation."[5] He turned to Austria. His pen was at once at her service, and he would have taken office if it had been offered to him when the plans were maturing for the war of 1809 against Napoleon. But the Vienna court and ministry carefully kept Stein at arm's length. This in no way affected his willingness to do what he could to forward the efforts to overthrow the oppressor. His plan was to accompany the Austrian campaign by an uprising in northwest Germany, to be supported by the landing of an English invading expedition. He felt sure that the middle class and the peasants, in whom he had placed his faith, would respond with 90,000 men. The whole movement was to be a great spontaneous national uprising, and death to him who hesitated to rally to the cause of the Fatherland. The English never came, the rising never took place. Prussia did not lift a finger, and the Austrian and German hopes

[5] Lehmann, III, 29.

raised by the battle of Aspern in May, 1809, came to naught at Wagram, and sank in despair when Austria concluded peace on October 14. Stein meanwhile alternated between the wildest hopes and outbreaks of fury at Frederick William's quiescence[6] and the Archduke Charles' incompetence. He sank into despair when Austria, led by Metternich, passed under the yoke and offered the Emperor's daughter on the altar of Napoleonic ambition. Seemingly there was nothing left but to await the day when power that had everywhere over-reached itself should begin to crumble. Stein returned from Troppau, to which the war had driven him, and took up his residence again in Brünn, transferring in June, 1810, with the Austrian consent to the city of Prague. Wherever he was he was primate of German patriots and the center of all movements for preparing the day of liberation. He was the greatest of the trio—of whom the other two were Gentz, the publicist now at Metternich's right hand,[7] and Pozzo di Borgo, the exiled Corsican—who had dedicated their lives to the overthrow of Napoleon.

These years of alternate hope and despair were trying ones for Stein's nerves and general health, but there was not one element of the hypochondriac or inactive brooder in him. Work, reading, drawing up memoirs, writing letters, conferring with friends, and

[6] Gneisenau wrote to Stein, two years later (June 26, 1811): "Der König steht noch immer neben dem Thron, worauf er nie gesessen hat, und ist immer noch '*recensent*' desselben und derer, die auf dessen Stufen stehen. An dieser Individualität wird ewig jeder Gehülfe scheitern, der Staatsmann im höhern Sinn, erhabene Anordnungen zu machen gedenkt." *Ibid.*, III, 114. On Prussia's policy in 1809, see Gaede, "Preussens Stellung zur Kriegsfrage im Jahre 1809" (Leipzig, 1897); Stern, "Abhandlungen und Aktenstücke," pp. 45-93.

[7] Reiff, "Friedrich Gentz: an Opponent of the French Revolution and Napoleon," in University of Illinois Studies, 1912.

a projected and partly written history of the years 1789 to 1799 occupied his busy mind and pen. Friends everywhere kept him informed of the course of events and besought him for advice. The most noteworthy example of the latter was Hardenberg, who had again come into power in Prussia in May, 1810. The double-headed Altenstein-Dohna ministry, with Beyme as its Warwick, had had a brief and troubled career. It had let the reform program fall into abeyance and neglected to pay the installments on the French indemnity during the Austrian war. It was finally so hard pressed financially that it ventured to suggest the cession of Silesia to Napoleon. This so disgusted the king and aroused Queen Louise and all good patriots that it caused the fall of the ministry. Napoleon, whose need was money, now had no objection to the return of such a good financier as Hardenberg, and with Hardenberg in office as chancellor, Stein again came more in touch with Prussian affairs than he had been since 1808.

The names of Stein and Hardenberg are so uniformly linked together in the usual accounts of the Prussian reform era that the casual reader may think of them as actuated by the same principles and adopting the same methods—the one beginning where the other left off and carrying the work on to something nearer like completion. Actually, it would be difficult to find two men more at variance in the principles which governed their public and private life. Hardenberg like Stein was not a Prussian. A Hanoverian by birth he had missed becoming a brother-in-law of Stein only through the opposition of his parents to a marriage which might have saved the ultimate shipwreck of Hardenberg's domestic life, and the dragging of all the anchors by which a man is held to standards of personal morality.

Hardenberg had entered Hanoverian service and was headed for a position of responsibility under George III, who was both Elector of Hanover and King of England. Across this promising career fell the shadow of the unfortunate relations between his first wife and the dissolute Prince of Wales. Turning his back on his native state, he entered the service of the Duke of Brunswick and played a part in the formation of the *Fürstenbund.* His wife's conduct and her incurable extravagance forced a separation. Hardenberg married, again unfortunately, a lady whose past conduct made her reception at the court of Brunswick impossible. Hardenberg's own conduct was not above reproach. The unfortunate situation in which he found himself was rendered still less attractive by the relative unimportance of the state he served. He sought a new field of service under Prussia, and was assigned to the direction of affairs in Ansbach-Beireuth, whence he passed directly into affairs at Berlin. Hardenberg's winning and distinguished bearing and manners made him friends, and the court of Frederick William II (1786-1797) was not one to pick flaws with his want of standards in his private life.

There was in Hardenberg always the courtier. The consideration due to sovereigns was both natural and cultivated in him. His tact was unfailing and with it all was united real ability. Quick perception was sometimes substituted for that mastery of public questions which comes only with the unremitting toil that Hardenberg shunned and Stein welcomed. Frederick William III (1797-1840) had the longing of a weak sovereign for Hardenberg, who knew his shortcomings yet passed them over and made them good without humiliating him. Queen Louise, who held the king by the same combination of intentional over-

sight and vigilant guardianship, touched however with a wife's love and optimism, found in Hardenberg the minister made to her hand for controlling Frederick William for his own good and for the salvation of the state. Stein had been content to have the king and queen hold him somewhat in awe, and did not care that they had to accept him despite his free and fearless tongue and his uncourtierlike attitude. He knew that they preferred Hardenberg, and the two men had stood together loyally in the trying days before and after Jena. Stein's moral sense was outraged by Hardenberg's frivolities, and his confidence shaken by his uncertain industry and his want of unbending loyalty. But nevertheless Stein appraised him and his measures for what they were worth, and trusted the future of Prussia more quickly in Hardenberg's hands than in any others but his own. Hardenberg on his part had manifested the same confidence in Stein, when forced out of office by Napoleon, and had urged Stein upon the king and appealed to Stein as the only one who could save the state at this crisis. Hardenberg's personal qualities made it possible for him to bend without breaking. He could compromise, yield and wait his time. Nor was he above making himself serviceable while others were holding office to which his abilities entitled him, and to which Frederick William would call him as soon as the circumstances permitted.

Throughout the Altenstein-Dohna ministry, Hardenberg had not lost touch with the Prussian court. The feebleness and dissensions of the Altenstein-Dohna ministry and the wretched economic position of Prussia, hampered by the continued French occupation, by the burdens of the continental system and the indemnity payments of 4,000,000 francs a month, in a state

whose normal income was but a third of this, had driven king, land and ministry to despair. The cession of Silesia was the ministry's solution. Their dismissal and the recall of Hardenberg was the king's. On June 4th Hardenberg came into power on his own conditions, with a free hand and the newly created title of chancellor. His return was a great gain, and well might Queen Louise on her deathbed comfort the king with the thought that she left him not quite alone, so long as Hardenberg was at his side.[8]

Hardenberg immediately attacked the problem of rehabilitating the finances.[9] The central features of his flexible plan, for Hardenberg was ready to modify and compromise, were a national bank with large powers; the extension of a limited excise tax from the cities to the open country; and the secularization of ecclesiastical possessions in Silesia. He had counted upon the support of Stein's old colleagues, Niebuhr and Schön, who were still in office, but both opposed his schemes vigorously and Niebuhr retired at once after protesting directly to the king. Schön was less violent but equally captious and caustic in criticism. Both laid their ideas before Stein and then retired; Schön to become provincial president in his native East Prussia, and Niebuhr to a professorship in the newly

[8] Bailleu, "Königin Luise," 355. Of all the important figures in this period Hardenberg alone awaits an adequate biography. The recent study by Haake ("Der preussische Verfassungskampf," Munich, 1921) indicates the gain that can be made over Ranke's five volumes of text and documents and Klose's antiquated account. Certainly scant justice has been done him by the biographers of his contemporaries. On the problem of creating a ministry as a means of limiting the power of the Prussian king, see Hintze's essay in "Festschrift zu Gustav Schmoller's 70. Geburtstag," Leipzig, 1908.

[9] Nasse in *Hist. Zeit.*, Vol. XXVI, and Bornhak in *Forschungen z. Brand.-Preuss. Gesch.*, III.

founded University of Berlin and to the composition of his pathbreaking work in Roman history. Stein regarded the measures of Hardenberg more leniently than did his former subordinates. Less doctrinaire if not less clean cut in his own plans and unrestrained in criticism than his former subordinates, he urged them to keep faith and hold out to the end. Prussia was now for Stein but a factor in his larger plans for Germany. Hardenberg seemed to him far more capable than the previous ministry of putting Prussia in condition to play her part when the day of reckoning came. Hence he had little patience with Niebuhr and Schön, and his letters to them and about them made it clear that he did not condone their insubordinate and un-coöperative attitude. He had his own ideas, differing from Hardenberg's especially in the favor with which Stein regarded the income tax, but his criticisms were much less vigorous than usual where variations from his own plan were involved. Hardenberg, who found himself faced by opposition at many points, hoped to profit by Stein's views and to find in his favor a claim to the support of the active group in the administration who still looked to Stein for leadership. He submitted his already modified plan indirectly to Stein and after receiving Stein's criticism sought a meeting for the interchange of views. It was a daring thing to attempt. If it became known it spelled ruin for both men. Hardenberg, who sought out the exiled Stein in secret interviews would, if discovered, be driven from office by Napoleon. Stein's refuge on Austrian soil might be denied him by a power now tied to Napoleon by fear, alliance and marriage. Nevertheless, the meeting of the two statesmen was secretly and safely arranged at Hermsdorf, Sep-

tember 14, 1810.[10] Nothing definite is known of the substance of their conference. Little of what Stein had actually planned in his own ministry and no more of what he approved of Hardenberg's measures was proclaimed after the conference. The Privy Council was again revived on paper and abandoned in fact. But from the date of this meeting Hardenberg was won to a system of national and provincial representation. A month later he issued the first public promise of a constitution for Prussia.[11] It was to be based on a diet limited to advisory powers. The only actual result was an assembly of notables in 1811,[12] and again from 1812 to 1815. Even the first of these assemblies was not brought together until after the proclamation of the chief financial measures in Hardenberg's program.

The approaching conflict between Russia and Napoleon forced Stein to consider the inadvisability of remaining in Prague, with the personal danger involved for him, as the French swarmed everywhere and Austria was forced into the struggle as an active supporter of Napoleon. Personal danger was less in his mind than the opportunity for active service somewhere against Napoleon. There is no talk now of a refuge in the woods of Kentucky but rather an immediate seeking of a place for service of any kind on

[10] For letters between Stein and Hardenberg on the latter's difficulties in 1810-1811 and fixing the place of meeting see *Historische Zeitschrift*, 1881.

[11] Haake, "Der preussische Verfassungskampf," 46-47. *Cf.* above, p. 138.

[12] The assembly of 1811 consisted of eight government officials, eighteen representatives of the nobles, eleven deputies from the cities, and eight peasants. When the assembly opened Hardenberg made clear their function: "The king does not only demand obedience, he wishes to convince your minds."

almost any conditions. His first approach was to Count Münster in London as to the possibility of his working in England; travelling and living expenses and an opportunity to do something for Germany and the common cause were the only conditions in his mind. Prussia he felt had digged her own grave by adhering to Napoleon and placing her troops at his disposal. But Stein did not propose "to sit with folded hands while he had any powers left, and see the wheel of fate crush his contemporaries." Before the necessarily long delayed and roundabout negotiations through Münster had resulted in any English offer, Alexander I, who had offered Stein an opening in 1807, wrote him directly on March 27, 1812, asking him to join his court at once. The letter reached Stein on May 19, and he accepted forthwith; and a week later started on the long journey around the French army and arrived at the Russian headquarters in Wilna, June 12, 1812.[13]

He promptly decided upon his field of labor. He would not enter the Russian service, "but only participate in German matters as they might arise in the course of the war and enable me to be of service to my Fatherland." "By this declaration," he says in his

[13] He did not tell his wife until the day of leaving. She was overcome and only comforted by Stein's full confidence. His children were not told. A secret police report—quoted by Fournier in *Deutsche Rundschau* (Article on Stein and Gruner) Vol. LIII, p. 216,—quotes Stein as saying to a friend: "Wundern Sie sich nicht, dass ich auf gut Glück wie ein junger Mensch eine neue ungewisse Bahn antrete. Wer sein Vaterland verloren hat, der ist nothwendig ein Abenteuerer. Ich habe keine Wahl. Ich muss Freiheit und Vaterland am Ende der Welt suchen." Stein left a brief diary covering June 14 to December 1814. Pertz used it; *cf.* text found in Stein archives and published in the *Nachrichten* of the Göttingen Academy by Lehmann, *Hist.-Phil. Klasse,* 1896, Heft 2, pp. 171-190.

autobiography, "I preserved freedom to act according to my convictions, and removed any suspicion on the part of the Russians that I was scheming for office and influence."

No other step taken by Alexander was so fully calculated as was the summoning of Stein to indicate to Napoleon and the world that the break between the two great allies was irreparable. The character and the past of Stein were significant of the new spirit in which the war was to be waged by Alexander, and a guarantee, hitherto wanting in Alexander's unstable policy, of a new found firmness to fight to a finish. Stein had given so many proofs of his personal independence, and of his opposition to Napoleon and of his interest in the liberation of Europe from his rule, that Stein might well serve all Europe as a barometer of Alexander's true intent. No ruler engaged in double dealing or a purely Russian policy would knowingly be served by Stein; and Alexander with a Stein at his side was a rallying point for the hopes of German patriots, who saw their own princes chained by vanity and fear to the chariot wheels of the national oppressor. For Stein the summons to join Alexander opened what he had always sought since the day he entered the service of Frederick the Great—an ever widening field of usefulness to the cause of Germany.

Napoleon lost no item of the significance of Stein's presence at Alexander's court. It was a trick of his to belittle people by pretending to forget their names, but the name of Stein was one that rose almost unbidden three times to his lips in the last interviews with Belaschoff, the Russian envoy sent by Alexander even after the French armies were well forward on Russian soil. He who has not read that interview of

July, as Belaschoff wrote it out for his master, together with the account of the dinner in the evening, has missed one of the most interesting bits of Napoleonic biography. Read it from the opening incident of the interview, when Napoleon, annoyed by the rattle of a window tore it from its casing and hurled it to the court below, to the account of the hushed and awed little group at the dinner-table in the evening, who heard the past invoked and the future foreshadowed when Belaschoff replied to Napoleon's half taunting query, "What is the best road to Moscow?" by the barbed reply in measured voice: "We Russians say as do the French that all roads lead to Rome. But one may choose his road to Moscow. Charles XII took the one by the way of Pultawa."[14]

In the interview Napoleon had at once poured out in unmeasured language his contempt for the councillors by whom Alexander was surrounded. "Armfeld," he said, "a depraved, intriguing scoundrel, sunk in debauchery, who is known for his crimes and an enemy of Russia; a Stein driven from his country as an outlaw (*vaivrien*), a rogue, a fugitive on whose head is a price; Bennigsen, who has dipped his hands in blood[15]—they are his most cruel enemies." And returning to the subject later he continued: "How can the Emperor Alexander, a man of honor and probity, in whom all sentiments are characterized by nobility and elevation, how can he surround himself with people who know neither law nor faith? How can any of

[14] Unfortunately not translated into English anywhere to my knowledge. Full accounts in Vandal, "Napoléon et Alexandre I," III, 500-528 (2nd ed.), and Tatishcheff, "Alexandre et Napoléon I," 587-609.

[15] An allusion to the fact that Bennigsen had been a member of the cabal that murdered Alexander's father, Paul I.

us, I and others, who truly love him in spite of all the circumstances, how can we hear without repugnance that an Armfeld and a Stein, people who are ready to strangle him, have free entry to his cabinet and that he receives them face to face? Let him surround himself with Russians and I shall have nothing to say." As if this were not enough to immortalize Stein forever in the history of human hate, he returned to the subject at the dinner that evening in the presence of Bertier, Bessières and Caulaincourt. "Tell me," he flung at Belaschoff, "has Stein dined with the Emperor Alexander?" "Sire, all persons of distinction are admitted to his majesty's great table." "But how can one seat Stein at the table of the Emperor of Russia? Even if the Emperor Alexander has decided to hear his counsel, he should never be received at his table. Does he think it possible that Stein can be attached to him? An angel and the devil should never be found in each other's company." Belaschoff left that night, carrying back as Napoleon's reply to Alexander a demand that as a preliminary to all negotiations Alexander "should free himself from the influence of the men who were the enemies of his family, of his glory, and of his empire." There was no reply.

Stein had thrown himself at once into the task of arousing and organizing Germany. Even before he left Prague he had come in touch with Justus Gruner, a former minister of police in Berlin who had been one of the few officials to repudiate the French régime in Prussia. Gruner was already in the pay of Russia and in communication with all the men and elements hostile to Napoleon anywhere in Germany. When Stein was summoned to Russia, Gruner revealed his connection with St. Petersburg, and Stein approved his

plans to forward all possible information as to the movement of the French troops, their strength and equipment.[16] He was to arrange for the printing and distribution of patriotic literature, such as Arndt's "Spirit of the Times." Committees were to be formed at separated and strategic points to serve as centers for work in their area, to intercept French messengers at lonely places and hamper Napoleon's communication with France and with his commanders and with the allied courts in Germany, and in every way prepare for a national uprising. Gruner's staff of forty served mostly without pay. The funds for the dozen or so receiving small stipends came from Russia through Stein and his German Committee there. No great importance can be attached to Gruner's activity. The difficulties were too great in a land overrun by French troops and by spies who were necessarily aided by the local authorities of the states whose existence depended upon Napoleon's favor. Indeed it was not long before the Austrians felt obliged to arrest Gruner and his chief aid and they were conveyed from Prague to a secret prison. Alexander, who had already accepted Gruner as a Russian subject with a view to such a contingency, demanded his release, but that came only after the developments of the Russian campaign had created an entirely new situation.

Stein formulated and laid before Alexander many plans, some of them being developments from Gruner's activity now under Stein's direction. Almost all the suggestions were approved and Stein was authorized to proceed to their execution. The chief feature was the organization of a German Committee to develop

[16] On Stein's relations with Gruner, see Fournier in *Deutsche Rundschau*, Vol. LIII (1887), and Vol. LXIV (1890), 294-305.

and execute plans that would in any way make Germany and the Germans effective in breaking Napoleon's power. The German Committee was composed of four members—two Germans, Stein and the Duke of Oldenburg, and two Russians who knew Germany and were sympathetically inclined toward Stein's plans. The chairman of the committee was the Duke of Oldenburg and the real motive force Stein. So long as the chairmanship was held by the young Duke George, the brother-in-law of Alexander, all went well. When Duke George was obliged to turn more directly to his own affairs and the organization of the Russian defense, his father, the exiled Duke Peter, was substituted (August, 1812). With this stiff pedantic stork-legged old fossil from the era of the Holy Roman Empire, Stein soon came to an open break. The Duke would approve nothing but a German movement headed by the legitimate princes, each supreme and autonomous in his own former territory. As Duke Peter could stand on one leg with the other wrapped around it and argue his views of the old law and imperial history longer than Stein could stand on two legs and listen, Stein took a short-cut and appealed directly to the Czar. Alexander pried Peter off the back of the committee enough so that Stein and the others could proceed freely with activities especially assigned to them. The chief nominal function of the committee was the recruiting and organizing of a German legion. Had it been made up entirely of officers, its ranks would soon have been full and a waiting list for ranks and salaries possible. The advancing wave of the French invasion washed ahead of it the flotsam and jetsam of Europe. All kinds of strange adventurers with plausible stories, German connections, and doubtful creden-

tials descended upon Stein's quarters. A request for time to examine their papers and look up their references was usually sufficient to send them on their way to fields where old laurels were not at a discount and new ones grew thickly garnished with bounties and rank. Getting common soldiers, and the right commander and financial support if the legion went into action, was a different matter. When German prisoners were sought as material, it was found that they were not all enthusiastic about running the dangers of treason under the formal law to prove their greater loyalty to the rights of their oppressed fellow Germans. And even if they did join, their physical condition after the rigors of the march into Russia and the mistreatment by their Cossack captors rendered them of doubtful value. In short, this particular German Legion whose possibilities much interested Duke Peter and the Russians never justified all the time and hopes put on it. Some five or six thousand men participated in the campaigns of the Wars of Liberation under the name of the German Legion, in the pay first of Russia, then England, and were then incorporated in the Prussian army, to which most of their officers belonged.

It may be said confidently that Stein conceived his mission somewhat more largely, and found greater opportunities for helpful service while still on Russian soil than by the organization of the German Legion. This more important work may be roughly grouped under three heads: the plans for arousing the German people to concerted revolt; the reconciliation of England and Russia, still nominally at war when Napoleon began his campaign; and lastly, holding Alexander to an unremitting war policy in spite of defeat and invasion, and, after the tide of war turned in his favor,

to the wider view that a European not a Russian war was being fought and that it must not stop so long as Germany was under Napoleon's control.

Of the plan to prepare Germany for taking part in her own liberation, the activity of Gruner and his committee was only part, and of that part the feature in which Stein was most deeply interested was the circulation of literature. With a people so given to reading as the Germans, he felt that the spread of books and pamphlets and the publication and circulation of periodicals was a most important measure of preparation. With a kindred purpose he urged the enlistment of the services of Germany's intellectual leaders. Men like Schleiermacher, Steffens and Heeren were to be decorated with Russian orders and by every means possible made to see Russia's cause as really Germany's. One of his first suggestions led to the summoning of Ernst Moritz Arndt, the poet of the Wars of Liberation, who was Stein's inseparable companion and supporter during the Russian exile.[17] His busy pen served the cause well in the "Catechism for the German Soldier," if one thing alone may be mentioned. Stein himself drafted appeals and proclamations so fiery that Alexander had to tone them down before giving them to the world. Stein felt so sure of his cause and its universal appeal that he had high hopes of winning away German officers and privates in the ranks of the invading French army. At news of discontent in Napoleon's own military group his thought leaped to the possibility of bringing them to desertion. Everywhere

[17] Arndt has left his memoirs of Stein in two volumes, reprinted as volumes one and two of his complete works. The titles are, "Erinnerungen aus dem äussern Leben" (1840) and "Meine Wanderungen und Wandelungen mit . . . . Stein" (1858).

he was a dynamic force, driving with every ounce of energy into any and all open channels that might lead to the great object now or never to be achieved.

The restoring of peace, and that quickly, between England and Russia was the object of his immediate and constant attention. Here it was not so much the renewal of diplomatic relations as the establishment of English confidence in Alexander and in the integrity of his purpose to pursue the struggle to a finish. Stein's best avenue of approach was through the able Hanoverian minister in London, Count Münster, and later through Gneisenau during his stay in England. By force of his own faith and the purposes it enabled him to read into Alexander's character and plan, he sought to convince Münster and through him the English cabinet that Alexander would not in 1812 repeat the sudden conversion of Tilsit in 1807. It was not enough that war ceased between them, and that England had sent a "Scotch icicle" (Lord Cathcart) as her envoy to St. Petersburg. England must support the Russian cause in every way, and in this connection the plan of a diversion in northwest Germany is revived. Time and the tenacity with which Alexander upheld his cause even with Napoleon in Moscow probably did more than Stein's letters to bring England into a great coalition, whose chief purpose was accomplished at Leipzig and Waterloo.

But this new found tenacity of Alexander's, the most vital element in the whole situation, whence came it? Let it be said at once that no biographer should claim, nor could he prove if he did, that Stein was the single decisive element. Alexander was a Romanoff and a Russian. For exactly two centuries his dynasty had ruled and in that time no foreign invader had ever be-

fore desecrated the soil of Old Russia. Every better instinct of Russia from peasant hut to palace rose to thrust out the intruder, and by every move that made Alexander seem a dupe in the past Napoleon made him the implacable enemy of the present and future. False news of victories that were really defeats, the burning of Moscow which was represented as an act of Napoleon's—all these things fired the nation to expect from its leaders a war of extermination, and Alexander, although he helped garble the reports and excite the public enthusiasm, was not unaffected by the results. Surest sign of all, he had shaken off such sycophants of all things Napoleonic as the minister Romanoff, and kept Stein near him both in Moscow and St. Petersburg. What Stein stood for Russia knew, Napoleon knew, the whole world knew. Somehow the historian may feel that, in reply to the critic who would sweep away any or all of the other surmises as to Alexander's motives, a sufficient explanation would still remain in the simple affirmation that Stein was there.

What a life it was—this dwelling where the cultural tides of Orient and Occident met and the passions of a race pulsed beneath a thin veneer of civilization! In the midst of this strange fantastic throng, yet standing somewhat aside from its half wild, half somber revelries, one sees the sturdy figure of the imperial knight. He is somewhat older, somewhat more bent and tortured by gout, a little lonely in his vast Russian palace, but sturdy of frame, hawklike of eye and unstinting of time and energy and tongue. He is known of all and respected for the power he is and for the power he is supposed to exercise. He goes as does but one other to the Czar's table and as but few others

to his council chamber. His evenings are given sparingly to any pleasures but that of entering the homes of those who share his views. But he wins, sometimes by a tender graciousness and a sparkling wit, and sometimes by the compelling majesty of mien, or the force of his exalted purposes. Women may have feared to love him, but there was that about him that made them love to fear him.

Out of the many scenes from the Russian days as Arndt's pen has pictured them, two may be recalled. The less striking but typical one is Stein and Madame de Stael sitting on a sofa, oblivious of the rest of the company, exhausting their combined vocabularies for terms that would express their mutual hatred of Napoleon. The other is Stein at the Imperial table paling and flushing as the Dowager Empress, herself a Würtemberg princess, spurred by the news of Russian victories and French disasters, turned on Stein and said: "If a single soldier escapes now across the German frontier, I shall be ashamed of being a German." The answer of the German patriot came unhesitatingly from the baron's lips: "Your Majesty does wrong to express such sentiments here and about such a great, brave, loyal people to whom I have the honor and the good fortune to belong. You should rather have said not that you would be ashamed of the German people but of your brothers, cousins and comrades, the German princes. I have lived through these times, I was on the Rhine in 1791, 1792, 1793, 1794, and the people were not at fault, no one knew how to use them. If the German kings and princes had done their duty, not a Frenchman would have reached the Elbe, Oder, or Vistula, to say nothing of the Dniester." The Russian guests were aghast, but the old empress mastered her

feelings and said: "You may be right, Baron. I thank you for the reproof." Nobody but the Baron Stein, the Baron vom und zum Stein, could so have stood four-square on the strength of his cause as his ancestors did on their patronymic rock, and hurled defiance at an imperial traducer of her nation and his.

The Russian exile was for Stein a happy release from the retirement in Bohemia. Even in the darkest days of the Napoleonic march on Moscow Stein was still buoyant and hopeful. Here was the one great chance to overthrow the oppressor, and so long as his faith in Alexander remained unshaken he could face the news of disaster with unbroken spirit. The days of action had come, and Stein was a man of action. Something of the play of wit, the brilliance of conversation, and the graciousness of bearing which is never more often attested than in these days, sprang from a spirit more at peace with itself than it had been for years. Something to do every day and all the day that might hasten the dawn of liberation, was balm to him who for four years had seen hopes wither and plans fail while there was naught for him to do but eat his heart out in enforced idleness. During her visit at St. Petersburg he had heard Madame de Stael read parts of her book on Germany and had borrowed the manuscript to copy and send to his wife. There is one passage in the chapter on enthusiasm that the biographer of Stein must believe he read with a comprehension born of the self-analysis no one escapes: "One must choose his aim with enthusiasm but pursue it with firmness of character. The thought is nothing without enthusiasm, the deed nothing without character."

Judging what Stein did by what he was is the con-

stant danger of any biographer. His actual accomplishments through the German Committee were so slight that any other man could easily have done what he did, or as easily have criticized the Russian financial plans or urged the reconciliation with England. But once Alexander had attained the boldness and exaltation of mood which enabled him to throw down the gauntlet to Napoleon, no other statesman than Stein in all Europe was so evidently commissioned by his character, career and unswerving loyalty to high purposes to hold the Russian czar to that exalted view of himself and the work he had undertaken which alone could carry Alexander's mystic and temperamental soul unscathed by disaster to ultimate victory.

It has already been indicated that Stein's true service to Germany and Europe at this time lay in the moral support he gave Alexander in making the decision to reject all thoughts of peace so long as the French remained on Russian soil. Even more momentous decisions had to be made when the remnants of Napoleon's Grand Army had crossed the Niemen, and the Russian forces stood at their own frontier. Should Russia venture on into a Germany still allied to Napoleon—with the Prussians and Austrians and the Rhine Confederation forces at his disposal? Such a campaign, if successful, could nominally end only at the Rhine, and would involve exertions and sacrifices on Russia's part more titanic than any she had so far made. There was a strong national party at hand, headed by the Russian commander, Kutusoff, to dissuade the czar from any such venture. Let the other powers look out for themselves, while Russia made sure of the control of all Poland. The situation was critical. The future of Germany and of all Europe

hung upon Alexander's decision. Unless he went forward, neither Austria nor Prussia would make a move to shake off their chains and arouse the German nation. Stein grasped fully the significance of the decision, and his memoir of November 17, 1812, is the fullest and completest expression of the views of those who held that the defensive must now become an offensive war on a wider scale and with new allies and purposes and methods. Germany must be invaded, but the land and its people spared the desolation of a war of destruction and won to a war of liberation. If their princes joined the cause, all well and good; but if they did not, then they had no claims for consideration or even restoration by the allied armies, and no time or resources should be wasted in an effort to restore them. It may well be expected, argued Stein, that Austria and Prussia will join the cause, and the king of Prussia must be brought to change his advisers. The conquered lands must be organized for the good of the German people by a diplomatic administrative council.

Now was the time to go forward, carrying Austria and Prussia with the Russian policy, and win Germany from Napoleon this winter. A defensive war might drag the struggle out interminably and ruin Germany. For the new policy the Czar must have a new adviser. Rumanzoff must go. "If you were to put the name of any ten or twelve mediocre persons in an urn and draw one out at random you could not fail to get one who was abler and commanded more respect than the present minister. The era that now opens before your majesty is decisive. It will fulfill ten years of hope, of labor and of sacrifice. It is the product of a number of unexpected, or unheard of, and unforeseen conjunctures. You will, Sire, place yourself at the head of the powers

of Europe. It is yours to play the exalted rôle of the benefactor and restorer.'"[18]

Alexander's decision was for the forward movement. He had long cherished the possibility that Stein now and previously had sketched for him. To have prepared the way for such a momentous decision, and at the critical moment to have helped crystallize intention into a world-important resolution, has been proclaimed by historians as one of Stein's greatest services. In a sense, he had fulfilled the prophecy of Archduke Charles: "The world can only be saved by a man not born to princely rank.'"[19]

[18] Pertz, III, 212-220.

[19] Meinecke, "Das Zeitalter der Erhebung," 118.

CHAPTER X

The Lost Cause

For Stein there was in the next two years, 1813-15, an unstinted measure of planning and laboring and hoping. Most of the plans and hopes were for a liberal constitution in a really united Germany, for which the time was not yet ripe. Most of the labors were in the commission, organized with Stein at its head, to govern the conquered area of the Rhine Confederation. With the restoration of the legitimate rulers at the close of the Wars of Liberation this temporary government ceased, and with it the work of Stein, who was at one time vice-gerent for the Allies over most of North Germany.

Before Frederick William III had thrown in his fortunes with Russia, East Prussia was occupied by Alexander's army, and Stein was dispatched with full powers from the Russian czar to direct affairs at Königsberg, where four years before he had laid down the powers of Prussia's chief minister. It was a joyous company of old friends and associates that streamed to his quarters to welcome him back. But the energy and decision with which he drove the business of recruiting, financing, and supplying, and covered it all by the approval of the East and West Prussian diet, summoned without royal authority, made Frederick William III uneasily wonder whether he was regaining a province from the French occupation or losing it to the Russians. Supported by plenipotentiary powers from

the Russian ruler and backed by the mass of the East Prussian people, including even the nobles, Stein swept aside the hesitating or fault finding bureaucrats. They were simply told that they were still so under the thralldom of French influence and fear that they were not competent to make an independent patriotic decision. Ethan Allen at Ticonderoga was no more peremptory than Stein when, in the name of "the purposes of the war" and "by reason of the pressure of circumstances," he lifted the barriers of the continental system, raised money and men for General Yorck's Prussian army corps, took over, at Russian expense, all payments for provisions for Russian and French soldiers and hospitals.

Perhaps the most significant act of the diet summoned informally at Königsberg was the passage of a law urged by Stein and drafted by Clausewitz, Scharnhorst's pupil, providing for a volunteer army (*Landwehr*) of 20,000 men (February 7, 1813). The people's representatives had decreed the first unit of that type of military service which, when formulated by royal decree in Boyen's law (September 3, 1814), made truly national an army that hitherto had been dynastic and semi-feudal.[1]

Even in a brief biography of Stein one may well stop to ask what Frederick William III of Prussia was doing while General Yorck, by agreement with the Russians in the convention of Tauroggen, placed his army beyond the possibility of aiding the king's ally, and while Stein at Königsberg was directing the administration and legislation of a whole province with-

[1] See A. Bezzenberger, "Urkunden . . . . betreffend die Erhebung Ostpreussens, etc." (Königsberg, 1894), and his "Actenstücke des Provinzial Archivs in Königsberg, 1786-1820" (Königsberg, 1898).

out even formal consideration for its legal sovereign, his former master. The answer is briefly given—he was being Frederick William. He was still hesitating; hesitating to break his alliance with Napoleon, yet hesitating to run counter to the whole popular feeling by actively supporting him. He was hesitating to join the German cause heart and soul because the interests of Prussia were not fully guaranteed and because the popular uprising made him even more ill at ease. Yorck was deposed by orders and yet left in actual command. Stein's work was plaintively presented to Alexander as something "almost revolutionary," and the czar was asked "to give precise instructions" to the Baron Stein that he was "to avoid anything that would detrimentally affect the obedience of Prussian subjects—or tend to incite to insurrection, especially without awaiting initiative on his [the king's] part." A better day dawned when Hardenberg, more quickly conscious of the way the tide was running, persuaded the king to escape quietly from Berlin and its French garrison and seek refuge in Breslau.

The negotiations for an alliance with Russia still dragged on until the czar, urged on by Stein, forced a decision by sending Stein and the Russian councillor Anstett, also a German, directly to the Prussian headquarters with an offer of an alliance so generous and so imperative that Frederick William yielded at last. On February 28, 1813, he signed the treaty of Kalisch. Only a sudden illness prevented Stein from signing, as official representative of Russia, a treaty which bound Russia to fight on till Prussia was restored to the territorial extent of 1806, and which by the union of these two powers brought one step nearer the more important goal for which Stein had labored as servant of

both sovereigns, the overthrow of Napoleon and the liberation of Germany.

While the treaty to whose conclusion he had given the decisive impulse was being signed, Stein lay seriously ill in an upper room of a dirty little hotel. Returning from an interview with Hardenberg, in which the latter had received him almost frigidly, he had wandered fever-stricken about the streets, seeking a shelter. He had been recognized by Lützow, the famous leader of a volunteer company, who offered him a room at his inn. Neither Hardenberg nor Frederick William III troubled themselves further about him, but the news of the treaty, and an immediate visit from Alexander upon his arrival, and the reunion with his family were better than medicine.

That Stein had been the correct interpreter of the longings and aspirations of the German people was abundantly proved by the national uprising of Prussia in response to the long-awaited summons of the sovereign. The glories of the national and military triumphs of the next two years, for the first time in the long history of Prussia and the Hohenzollern dynasty, fused classes and masses, prince and peasant, Prussia and Germany in one great common inspiring national task.[2]

Stein's work was marked out for him as soon as the Central Administrative Committee for the provisory government of conquered territory was formed in

[2] Succeeding generations until the era of Bismarck put Prussia back upon the traditions of Frederick the Great, read all later and much earlier Prussian-German history by the reflected light of the Wars of Liberation. The philosophy, literature and political strivings of those years have aided much in putting flesh on the bones of a state-ideal whose framework was shaped by the Great Elector and more especially by King Frederick William I.

March, 1813. It was to be composed of one representative for each of the major powers in the coalition. The lesser German states could not, as Stein arranged it, have more than one representative for all. Hanover, as a concession to England, and later Bavaria, Würzburg and Swedish Pomerania, were exempted from the government of the committee. As French territory was conquered in 1814 it was placed under Stein, who at one time was the immediate ruler over 12,000,000 French people. Stein, who had again refused Alexander's offer of a permanent place in Russian service, nevertheless acted on this committee for Russia and was its actual chairman. The council was to raise and provision troops and supervise the usual affairs of the various reconquered states for the good of the allies. Unfortunately this was to be done with the coöperation of the existing government and the local authorities. This resulted in exasperating delays and unending annoyance.[3] As higher politics and dynastic connections were always influencing either Prussia or Russia, Stein was for a time thoroughly unhappy. His explosions of righteous wrath would, if properly directed, have blown the dukes of Mecklenburg and other petty particularists into the North Sea.

All who sought favors or had plans to forward their own interests or that of the national cause sought his support. Fathers who wanted diplomatic positions for their sons were coldly directed to the recruiting offices. An inventor with a plan for building a gigantic magnet which, when carried ahead of the German army, would attract all enemy projectiles to it excited a typical outburst from Stein: "Write him to come

[3] For a picture of Stein from Steffens's pen see Pertz, III, 336. Translated by Seeley, "Life and Times of Stein," Pt. VII, Chapter iv.

on and we'll load him into a cannon and shoot him at his magnetic mountain and see whether it will stand the test.'"[4] Among the minor satisfactions for the imperial knight was the presence of the duke of Nassau cooling his heels in Stein's ante-chamber and humbly requesting the good offices of his former vassal and victim with the allied sovereigns. The modest labors of the committee did not escape the notice of Napoleon, who decorated reports of territory which he regained with descriptions of the joy of the people at being "freed from Stein, Kotzebue, and the Cossacks."

Stein's experience on this committee only helped to confirm his long cherished distrust of the rulers of the smaller German states. Their narrowness, particularism and want of patriotism were presented anew in an even crasser form than before. To them, the cause of nationalism and liberation were secondary matters beside the importance of securing the titles, territories and autonomy they had garnered in the Napoleonic régime or inherited from the days of Germany's disintegration. Stein made many unsuccessful attempts to secure their complete suspension from all their powers until the end of the war and then to permit their return only on conditions determined by the general interests. Much of his lack of success may be attributed to the views and activities of Metternich, now the chief Austrian minister and a considerable factor in the camp of the advancing allies. He would gladly have seen Stein so busied elsewhere that he could not have kept in touch with affairs at headquarters. That was impossible, and Stein, supported by the Corsican, Pozzo di Borgo, and the Swiss, La Harpe,

[4] Pertz, III, 338.

found occasion to press his views upon Alexander and thus play some part in the critical days when the coalition threatened to dissolve at the moment of final triumph. Stein was definitely on the side of the military party which would press the campaign to its ultimate result in the dethronement of Napoleon. Scharnhorst had only lived to see the dawn of the new day, but Gneisenau was still at hand to support his old chief in the Prussian triumvirate of 1808. Although no direct credit can be assigned to Stein for the final decision to depose Napoleon and restore the Bourbons, it was distinctly the policy for which he contended and in which he found the support of Alexander's most influential personal advisers. Its execution was less the work of the diplomats than it was of the armies in the field, and above all of that directed by the implacable veteran Blücher and his chief of staff, Gneisenau.

In all the work of these crowded months Stein was the great single-minded German. Hardenberg and Metternich and Münster and Nesselrode could never forget the interests of Prussia or Austria or Hanover or Russia. Stein served no other cause but that of Germany and its future. Thus it was reserved for him to experience the greatest alternations of joy and despair. It was glorious to come back with a great army and under a sovereign dedicated to the task of unremitting pursuit of Napoleon, and to see the Prussian and German people justify by their response to the call to arms all the faith Stein had had in them. It was a gratification to assume all the responsibilities for the government of north and central Germany as it slipped from Napoleon's control and the princes of the Rhine Confederation fell into disrepute. It was heartening in the darker days to have communion with Blücher,

"who talks of nothing but battles and fighting," to clasp hands with Gneisenau in the streets of Leipzig and pledge mutual support to a war that should end only with the dethronement of Napoleon. A new and profounder faith stirred him as he saw "Providence justified by the great judgment it has proclaimed against the monster." But there were darker hours in the midst of all these personal and national triumphs. His work in the Administrative Council was, as we have seen, often hindered by considerations for the former government, and when in 1814 its powers were reorganized and centralized in Stein's hands alone, his appointment and his program were opposed by Metternich. As the war proceeded, it became evident to him that the diplomats in each and every one of their treaties were forecasting or affecting the ultimate solution of the question of German national unity. He was no one's minister and had no part in the negotiations of the series of treaties that brought England, Sweden, Austria and Bavaria into the ranks of the alliance. But here in these documents and in the conferences of the four great allies at Chatillon, Langres and Chaumont were determined the essential bases for the future constitution of Germany. Stein began the first of his important memoirs on the subject of German unification (September 18, 1812) with the sentence: "The arbitrament of arms will determine the fate of Germany and the kind of a constitution it is to receive." The sentiment was truer than he thought, and no one struggled harder than Stein to combat the results for Germany that were decreed by the fate of arms and the calculations of politicians.

The diplomatic and military situation by the time of Napoleon's overthrow may be briefly summarized from

the standpoint of the German question. Alexander had started the war alone against Napoleon in June, 1812, but he had immediately shown by his summoning of Stein and the organization of the German Committee that he expected Germany to be a factor in the struggle. Whatever plans he may have had concerning her in the beginning, it may be taken for granted that they related only to what Germany could do for the Russian cause. As the tide of battle turned and the Russians began to move westward, plans for at least the temporary government of any conquered German area must be taken up. As England and Sweden had by this time established friendly contact with the Russians, the German question had to be considered with them, as one represented Hanover and the other Swedish Pomerania. The German question, even in the proximate form of its temporary and partial administration, was already a European question. This Stein had foreseen and desired, for he did not trust either Prussia, Austria or the German princes.

The first word to the great mass of the people was contained in the proclamation of the Russian-German commander Kutusoff (March 25, 1813), and was issued in the name of the Prussian and Russian sovereigns.[5] It announced that the allied sovereigns were coming to restore liberty and independence to the princes and peoples of Germany. Princes and rulers were especially invited to join in the work of liberation, and mild intimations of punishment if they delayed or refused replaced Stein's fiery proposals. The allies thought that they were gratifying a long-suppressed wish of the German people in pledging themselves to the over-

[5] Pertz, III, 320-322, or Boyen, "Erinnerungen," III, 271, for copies of it.

throw of the Rhine Confederation. Alexander's position toward liberated Germany is especially defined as that of one who desired to end foreign interference and would therefore "only extend a protecting hand over a work whose creation must be reserved solely for the princes and peoples of Germany." The treaties by which Austria was brought into the alliance (Reichenbach, June 27, September 8 and October 3) brought in also the influence of Metternich, who considered Stein no better than a revolutionary Jacobin. Stein's views of the crafty, calculating and two-faced Metternich were much better founded and much more vigorously and frequently expressed. Unfortunately for the cause of German unity, Austria was so important an ally that every view she held was considered, and Metternich by his blandishments quite won over Alexander during the early months of the alliance. Austria was given a free hand in making alliances with Bavaria and Würtemberg, and they and their dynasties were added to the list of the German powers assured territorial integrity and autonomy. When the Central Administrative Committee was reorganized, Metternich sought to oust Stein, but failing in this he cut down its powers at every point and subordinated it to the direction of the diplomatic council. As Metternich was untouched by any spark of devotion to Germany as a people or as a political nation, unalterably opposed to the acceptance of the imperial crown by the Hapsburgs, distrustful of a national militia or of diets or representative bodies of any kind, and was not even ready at any time to go to the full length of a program to depose Napoleon and break utterly French power and influence, the whole spirit of the allied sovereigns' utterances, policies and negotiations lost touch with the

national hopes and aspirations of the patriotic German party. Even Stein's former Prussian friends were primarily Prussians when the question of the future of Germany came up. The voice of the imperial knight and German patriot was echoless in the midst of the diplomatic war that accompanied the sterner conflict on the battlefield.

But the voice was not silent nor the pen inactive nor the man indifferent even when most profoundly discouraged. The keynote to all his thought may well be stated in his own words written on the eve of the War of Liberation:

"I have only one Fatherland, it is Germany. And as under the old régime I belonged to it and not to any particular part of it, so now I am devoted with my whole heart to it and not to any part. In this moment of great possibilities dynasties are to me wholly indifferent; they are simply means to an end. My wish is that Germany may become strong and great, that it may again attain and preserve both independence and nationality in its position between France and Russia. This is for the best interests of the nation and of all Europe. This can not be accomplished by means of the old forms now fallen and decayed. To attempt it by such means would be like establishing an artificial military frontier defended by the ancient ruins of barons' castles and the walls and towers of fortified cities, and rejecting all the ideas of Vauban, Coehorn and Montelambert.

"My confession of faith then is *unity;* if this is not possible then some compromise, some transition stage. Replace Prussia with any power you choose, even dissolve it, strengthen Austria with Silesia and electoral Brandenburg and Northern Germany with the excep-

tion of the dispossessed rulers, reduce Bavaria, Würtemberg and Baden, who have enjoyed Russia's favor, to the limits of 1802 and make Austria master of Germany, and I shall agree and approve, *if it is feasible.* But do not think of the old Montagues and Capulets and such ornaments for knightly halls. If the bloody and unhappy struggle which Germany has endured for twenty years and is now summoned anew to resume is to end in mummery, I for my part wish no hand in it but would gladly prefer to return at once to private life."[6]

It might be well to let this single quotation stand as a sufficient epitome of Stein's future Germany, and simply remember that any suggestions as to territorial readjustment are by way of illustration and subject to the condition which he italicized. It would be possible by following him through more than a half dozen considerable memoirs and letters to show how he remained true to his ideal of unity; how he thought, with the Romanticism already touching him as well as all Europe, that it had been realized in the German empire of the tenth to the thirteenth centuries; how he clung to the idea of a regenerated Hapsburg monarchy and dynasty lacking the imperial title, until Metternich crushed that hope; how he planned for a strong central power in a confederated state of fifteen or more members and yet could never find the formula that would bring the three factors, Austria, Prussia and Germany into any practicable and harmonious whole. Sometimes he felt that it might work out with all three as separate powers mutually allied for the protection of the weakest member; sometimes it was Austria and Prussia in a form of dualism taking the lead; some-

[6] Pertz, III, 226-227.

times it was a directorate of the great German states. At all times there was a clear recognition that France must have no possibility of influence in the new Germany; that the lesser states with their selfish rulers must be subordinated; and that the good work must be with the participation of the allies, Russia and England, but preferably before the opening of a European congress where many other matters would predominate and affect German interests.[7]

The thing that sounded real to a later generation was his ideal, but to his own age it was of the essence of dreams. His concrete proposals sought to meet a real situation—the existence of two states that could not be permanently equated in German national leadership nor subordinated one to the other. He cannot be reproached because he did not clearly formulate the problem and seek its solution.[8] How could he? He

[7] For material on Stein's ideas on the reconstitution of Germany see Pertz, III, IV, *passim*. Also *Historische Zeitschrift*, Vols. XLIV, 257-272, and XLVI, 189-192, and "Politischer Nachlass des hannoverschen Staats- und Kabinetsminister Ludwig von Ompteda," III, 224. These supplement the standard work, W. A. Schmidt, "Geschichte der deutschen Verfassungsfrage . . . 1812-1815," Leipzig, 1890.

[8] The real solution could not be found by the politicians who had to consider what was expedient and practical. It was the military group who foresaw 1866. Clausewitz, writing in 1820, says of the effort to unify Germany in 1815: "Deutschland kann nur auf einem Wege zur politischen Einheit gelangen; dieser ist das Schwert. Wenn einer seiner Staaten alle anderen unterjocht. Für eine solche Unterwerfung ist die Zeit nicht gekommen." Delbrück, "Historische und Politische Aufsätze," Berlin, 1887, p. 215. Similarly, General Steinmetz to Gneisenau, Sept. 15, 1815: "Auch ist keine Rettung für Deutschland und Preussen selbst, als dadurch dass diesem Hause (Hohenzollern) die Oberherrschaft übertragen wird. . . . Ernstlich möchte ich jetzt einen Bund entstehen sehen der der preussisch-deutsche hiesse, denn ohne den war alles Streben und Treiben nicht des Mühens werth, wie sollen wir zu Ruhe kommen und Freiheit behalten zu denken und zu thun wenn in Deutschland nicht Einheit und eine kräftige Einheit durch Preussen ist?" Quoted by Delbrück in *Preussische Jahrbücher*, Vol. 64, 133 (1889).

was thinking like a German statesman about a constitution for unified Germany more than fifty years before unified Germany was there. The only way in that day to have conceived a unified Germany as we know it would have been to have thought like a Prussian or an Austrian, and Stein was neither. That was his whole strength and his weakness. The result as represented in Stein's utterances between 1812 and 1815 is a gradual evolution under the pressure of political necessity from a unified state to a loosely confederated Germany.

The final days of the campaign of 1814 leading to the occupation of Paris and the dethronement of Napoleon in April held some individual gratifications for Stein. When the representatives of the anti-Napoleonic elements in Paris tried to get in touch with the allied sovereigns it was Stein to whom they made their appeal, "because he was regarded as the man who viewed the events in Europe from the most exalted and all-inclusive standpoint."[9] The temporary civil government of the capital of the world conqueror was placed under the general direction of him whom Napoleon had proclaimed some five short years before an outlaw and an exile. It was with profound thankfulness to an overruling Providence that Stein acknowledged to his wife all the manifold joys of the days of national and personal triumph. "It is only when I compare the emotion that fills my whole being now with the oppression and sorrow that has weighed me down for nine years—it is only this comparison that enables me to appreciate the whole extent of my present joy and the full measure of my past suffering."[10]

[9] Pertz, III, 571.
[10] Lehmann, III, 372.

While the allied sovereigns and their ministers went on a tour to England and garnered glory and applause in the London streets and salons, Stein made his way back to Nassau in June of 1814. It was to be a quiet visit with his sister Marianne and a chance to survey his estates, now fully restored to him by the duke of Nassau who had taken them at the price of a terrible excoriation from Stein. But the loyal folk of Nassau would not let him, the greatest scion of the knights of the guarding rock, return unheralded. The welcome they gave him as at close of day his carriage entered the home town was simple but hearty. Ringing bells, lighted candles at the windows, the people on the streets, and the home guard in military array made a homecoming dearer to Stein's heart than the gaping multitudes of foreign capitals.

His commanding position at home and in Germany was even more clearly attested by the ready compliance of the duke of Nassau with Stein's suggestions concerning the liberalization of the constitution for Nassau which, it must be confessed, the duke was hastening to proclaim before the German reorganization was effected at Vienna. More significant was Hardenberg's conference (July, 1814) with him to go over a draft of a constitution for Germany in forty-one articles. Hardenberg hoped to make his draft the basis of the discussions at Vienna. Here again the motives must have been mixed, and one wonders whether it was a Prussian reformer, a German patriot, an adviser to Alexander of Russia, a possible first premier of the new Germany, or Prussia's future representative at a German diet that Hardenberg considered he had before him in Stein. In any case he had to deal with a man of such importance and forceful opinions that he accepted

many modifications suggested by Stein,[11] and the revised draft was put in shape for the discussions at Vienna.

Stein, although not a minister or official, was sure to have a part in those discussions, for Alexander had asked Stein to join him again at the opening of the sessions. Stein was ready to respond, for the making of a constitution for Germany was for him his great unfinished task.

The developments of the last year had clearly shown that the dangers to German unification seemed to lie in the fact that the general control of the princes over the campaign and negotiations was symptomatic of the movement that was carrying back into Germany and elsewhere the old dynasties, with their old ideas and their hostility to sharing any morsel of their petty sovereignty either with the people they ruled or with the central national government to which they might properly be subordinated. Behind them stood Metternich and all the interests and forces of Austria, whose predestined historical mission from the very nature of her own racial and political composition was implacable opposition to any and all national governments. Stein realized fully what the dangers were and tried to reserve the German question not only from the general

[11] Stein insisted on provisions for *habeas corpus*, freedom of the press, the right of petition, the security of property, the right of any German national diet to initiate legislation, and elective as well as hereditary estates in each member of the German confederation. Centralization was to be represented in a directory of the four states, Prussia, Austria, Bavaria, and Hanover. Austria was to preside and Prussia supplant the Archbishop of Mainz in a glorified archchancellorship. Pertz, IV, 744. In this he yielded a view to which he later returned, that it was necessary to give Austria the imperial title. Pertz, IV, 43 ff. Haake, "Der preussische Verfassungskampf," Munich, 1921, pp. 52-53. Lehmann, III, 385 ff.

business of the Congress but from the participation of any German states except Prussia, Austria and Hanover. As a sort of non-partisan superior tribunal he would get the approval of Russia, Austria, Prussia, and England. The latter suggestion was, it is evident, chiefly in order to get Russia in as a makeweight for German national interests as against the particularism of the other states. He failed here, for to the German committee were added Bavaria and Würtemberg, already promised full sovereignty by their treaties with Austria. What these two states did not want to yield to a centralized Germany was just that subordination to the interests of the whole, and all they had to do, with Metternich's aid, was to crook their fingers through the open council door, and the whole pack of German princelings, thirty strong, were soon in full cry. Only the united efforts of Prussia and Austria could have held them in leash. These states were themselves soon ready to fly at each other's throats over the question of apportioning out Poland and Saxony after the fashion of the eighteenth century diplomacy. Early in January, 1815, as is well known, Prussia and Russia upon the one hand, and Austria, England and France upon the other, faced each other in coalitions that threatened war. The German question disappeared from sight in such a turmoil, and even the five-headed committee did not think it worth while to hold a meeting for more than two months. When the negotiations were renewed in February, Stein urged again his plan for the restoration of the imperial office, with an Austrian emperor and a central diet with real powers. But he was a lone swimmer against the tide. Nobody at Vienna wanted the German nation to have what Stein said they wanted, and Stein was not commissioned by

any one to speak with authority the language that made itself understood at Königgrätz and Sedan a half century later. "To him," says his latest biographer, "the whole matter was not a struggle for power but a battle between evil and good."[12]

In the midst of the festivities and frivolities of Vienna Stein remained naturally somewhat isolated and misunderstood. His optimism was derided as childish. His faith in a possible German union with a diet that could initiate legislation, his support of the democratic party when Swiss matters were before the conference, his contempt for "the sultanism" of the restored dynasties, all put him under suspicion as a "radical." The legend of his membership in the inept *Tugendbund* was revived. The Vienna secret police kept him under surveillance as they did everybody else, including Metternich himself. Stein, however, was a difficult person to get at. He did not talk, the women he knew were perfectly respectable, he did not need to borrow money of the Austrian government, and as his living was simple it was with difficulty that a spy was introduced into his clerical force. The secret police pawed over his waste basket and raked the ashes of his fireplace for papers that might reveal his activities. The results were insignificant. His patriotic and liberal views could not be grasped or assayed by these hirelings of stupidity.[13]

Stein left Vienna at the end of May before the conclusion of the conferences on the German question.[14]

[12] Lehmann, III, 447.

[13] Fournier, "Die Geheimpolizei auf dem Wiener Congress," Vienna, 1913, pp. 19, 60, 116, 133, 161, 236, 274, 317, 436, 451.

[14] It had long been delayed, then postponed and hastily taken up again as the result of Napoleon's return from Elbe. For material on Stein at Vienna see his "Tagebuch" in *Historische Zeitschrift*, Vol. LX, pp. 385-467.

He was oppressed by a deep sense of failure. "Nothing but profound disappointment could come from the ambiguous position I occupied. I had influence without definite leadership, and influence, too, over exceedingly deficient men who must be used as means to attain a great end."[15]

Once more, and for the last time, was he summoned to urge Germany's interests in an international matter. In the negotiations preceding the second treaty of Paris, after the Hundred Days, Alexander seemed to the Prussians and the German diplomats, even to Metternich, far too tolerant of the part France had taken in again disturbing the peace of Europe. The German party insisted that France must, for military reasons, hand over a line of French fortresses to Prussia, and Alsace to Germany. Alexander had demurred, and Stein was besought by Hardenberg to come to Paris at once. He responded, but his activity was much more that of a mediator than it was of an advocate. His position on the question of Alsace was that, if by occupations of this kind one "hoped to assure the tranquillity of France and the rest of Europe, they must needs be very extensive and this would give rise to all the unhappy results of such a considerable dismem-

[15] The penetrating analysis to which Meinecke ("Weltbügertum und Nationalstaat") has submitted the views of Stein in this period brings out with distinctness how much of romanticism and cosmopolitanism survived in this imperial knight whose name is definitely associated with the development of the national movement. He was far from being blind to the realities of politics or unresponsive to the necessities of a given situation. He was simply like many another who has stood at the beginning of a great historical movement, unable to separate himself from his past and his present and see the thing clear through to its logical consequence, if there be purely logical consequences for any historical movement. See also Delbrück in *Preussische Jahrbücher*, Vol. 64.

berment.'"[16] A century later a great French statesman, speaking of the necessity of ending conflicts over the Rhine frontier, said: "This will only be possible when there shall be found a victor greater than his victory, a victor who will be a hero of moderation." In disapproving the Prussian demand for Alsace Stein stood the test where Napoleon failed, where Bismarck failed. Seven years after he phrased it, M. Clemenceau himself faced this same test.

Stein was in his fifty-eighth year when peace was finally restored to Europe. Despite the labors and anxieties of the past ten years, the long journeys and the many changes of residence with none of the comforts of home, and one illness that had brought him to death's door, he was still in full vigor and practically unbroken health. No one who saw him or considered

[16] The discontent of the army with all negotiations had been very bitter from the beginning. There was the usual criticism that the diplomats were losing all the army had gained, and the civilian population was for the most drastic measures. Ancillon, writing in July, 1815, to the Prussian Crown Prince, says: "When I contemplate the warlike spirit that has overcome the Germans, how they believe all things possible to their courage and power and, proudly trusting in the sword and victory, imagine that they dare go as far as they can, when I consider that formerly they desired only independence and the sacred honor of the Fatherland, and power only as a condition of independence, and now are dreaming of dominance and decisive superiority, when I see their pride, their ever increasing contempt for other nations, their arrogance and their extensive plans, the anxious foreboding seizes me that if these waves of passion are not soon confined to their proper course, we can easily become in a few years what the French have been—first an object of admiration, then of terror, then of hate and finally of revenge." Haake, "Der preussische Verfassungskampf," 69-70. It was Prussianism that inspired these words that found their fulfillment a century later. In February, 1813, Ancillon wrote the king: "I hear the cry, Germany! Germany! Let us remember that we are first and above all else, Prussians." Meinecke, "Das Zeitalter der Erhebung," 120.

the high purposes and policies he had represented, could think for a moment that his public career was closed. Stein himself did not think so, for although he was profoundly discontented with the Vienna constitution for the German Confederation, he thought it was capable of development. He was willing and indeed expected to take a part in its peaceful evolution into something that corresponded to the hopes of the national patriotic party. Both Austria and Prussia offered him the position of representative at the Diet of the Confederation in Frankfort. He declined Metternich's offer, but was willing to serve Prussia without salary if he might have as colleague a man who was acceptable to him, and the freedom to leave Frankfort without furlough at any time that important business was not under consideration. One has a suspicion that these simple conditions gave the bureaucrats at Berlin a not unwelcome excuse for passing Stein over and appointing someone else. When the futility of the puttering and powerless Frankfort Diet is recalled, one may be grateful for the narrow-mindedness at Berlin which kept Stein from wasting his energies on a hopeless mission.

CHAPTER XI

The Closing Years

Like other warriors and statesmen who had shared in the labors and glories of the last few years Stein was asked in 1814 to select as a partial reward some estate or lands as a gift from the nation. He chose the fair vine-clad hills of the former cloister of Johannesberg on the Rhine, near Rüdesheim, which had been bestowed by Napoleon upon Marshal Kellermann. Hardenberg did not push Stein's request, nor a later one preferred for the same estate by General Gneisenau. Johannesberg was ultimately assigned to Metternich. It was here that Metternich spent his last days, after the revolution of 1848, and at Johannesberg Bismarck, in the first year of his service as Prussian minister at Frankfort, visited him in 1851. Stein ultimately received the lands of the former abbey of Kappenberg, near Münster in Westphalia, in exchange for his remote Polish estates which as the result of war and fire had proved a financial burden. As part of the arrangement Stein waived any further claims to the annual retiring allowance of 5000 thalers assigned him by Frederick William in 1810. No element of gift or reward seems to have been involved. The duke of Nassau, whom Stein had denounced so bitterly in 1803, dealt more generously with his former vassal who had now become so influential in German affairs. The duke's officials, who had been in charge of Stein's estates since Napoleon's decree of outlawry in Decem-

ber, 1808, had managed them most considerately in the owner's interest. They were returned on Stein's demand in 1813 and with them all income and accounts since 1809. An indemnity in land worth three and a half times Stein's estimate of all losses was turned over to him by the duke's minister, and his estates in Nassau were alodified so that his daughters could inherit them.

His double rôle both as a subject of the king of Prussia and of the duke of Nassau gave him an opportunity to urge vigorously the development of constitutional government in each area as something of a recompense for the failure to obtain a German national constitution. Partly due to his efforts, the duke of Nassau did finally put into operation the constitution proclaimed in 1815. King Frederick William III stood pledged by all the logic of the reform period and by the specific promise of May 22, 1815, to give Prussia a constitution and some form of representative national assembly. But he had quickly lapsed from any such intention, if ever he had personally felt any vital interest in it. The reactionary party at Berlin and at every other German court looked to the leadership of Metternich, who skillfully led the Prussian king into a solemn pledge not to do anything toward granting a constitution unless approved by Metternich. Hardenberg, for whom Stein had the most profound contempt, grew weaker, more compliant, deafer and more dissolute. Not only could the patriot party expect nothing good from Berlin, Vienna or Frankfort, but they had every reason to apprehend the active measures of the reactionary governments against the universities, the press, and liberalism and nationalism in general. The Carlsbad Decrees (1819) and the institution by the

Frankfort Diet of an Investigation Commission at Mainz were indicative of the spirit and method of the Germany which Metternich now dominated. Hardenberg and Frederick William III were simply steering the Prussian state in the wake of the chief proponent of reaction. All the miserable, narrow-minded reactionaries were busy tracking down demagogues with the aid of spies and the sudden seizure of papers. Official hearings with suppression of liberal journals, inspection of classroom work and of texts used in universities, dismissal from university and political office were the means by which the Berlin chief of police, Kamptz, and his crew valiantly aided the Mainz Commission, which sought to stifle every move for political liberty, free press and free speech. If they could not touch some outstanding figure they annoyed him in petty ways until he felt stifled in an atmosphere that no self-respecting patriot could breathe and be himself. Generals Gneisenau, Boyen, Grolmann and Blücher retired to private life. Humboldt and even Beyme could not fit into conditions that Hardenberg weakly accepted. Arndt was expelled from his professorship at Bonn, his papers seized and thrown in the streets. Gruner, who had served the cause of liberation at the risk of his life and at the cost of a long confinement in prison, was subjected to an official inquisition on his deathbed, and his death only made it easier to seize all his papers for examination in Berlin in order to get trace of conspiracies involving others perhaps as yet unconvicted of liberalism and patriotism.

The rising tide of persecution lapped at Stein's door but failed to draw him in. The chief minister of Nassau, von Marschall, had found him a most ungrateful

and cantankerous subject, who thought promises about constitutions and popular government ought to be kept. His petty revenge was a long rambling letter to Metternich in July, 1819, in which he characterizes Stein as a trouble-maker. The committee of investigation sitting at Mainz saw in Stein one of those who "had particularly incited demagogic activity," and it was Hardenberg who, despite Metternich's objections, was willing to let such a report go to the Diet at Frankfort. Stein went his way unconscious of all this. He was not in sympathy with the radical press and irrational agitators, but to him the true Jacobins were the reactionary princes and their advisers who would put things back as they were in 1806 and prevent all normal intellectual and political development. "If I were indifferent to Germany and the Prussian state I could look on unconcerned, but it wounds me to the heart."[1]

Perhaps one of the most curious of the proofs cited against Stein as a danger to the existing order is found in a letter of the Austrian envoy at Frankfort, September 28, 1819, referring to Stein's efforts to form a society to promote the study of early German history. "It may well be," writes Buol to Metternich, "in view of Stein's well-known eccentricity, that this society has the secret purpose of proving historically that in the middle ages the German princes possessed no acknowledged sovereignty, and the inference to be drawn from this would be that the various diets or estates could lay claim to some essential rights hitherto usurped by the princes."[2] The reader who is near a library fortunate enough to possess the great folio volumes of the *Monumenta Germaniae Historica* might be interested

[1] Lehmann, III, 473.

[2] A. Stern, "Geschichte Europas seit 1815," I, 583.

in this novel view of the great collection of historical sources. When he notices the first ponderous volume in medieval Latin which did not come out till seven years after Buol's letter, he would be forced to the conclusion that the chief damage a prince might have suffered from it in those days was to have been compelled to read it through.

To students of history in almost any land of western Europe, or in any field of language, institutions or literature, Stein may not be well known as a Prussian reformer. But his services in founding the Society for the Study of Early German History and instituting its great source publication and journal place him permanently in the historians' Valhalla, along with Muratori, Mabillon, Bolland, Leibnitz, Baronius, Rymer, and Martens.[3] Since his student days Stein had been more than ordinarily interested in history. His chief important state papers, both in his days as a Prussian minister and during the discussions of the German constitution from 1812-1815, are noticeable either for an historical introduction or the citation of certain periods as historical analogues or ideals. During his retirement at Brünn and Prague he had undertaken to write, chiefly for his daughters, a history of the French Revolution. Now in retirement he had begun to instruct them in German history and presumably chiefly in that period which in his proposals for a German con-

[3] On the history of the founding of the Gesellschaft für ältere deutsche Geschichte, see "Archiv für ältere deutsche Geschichtskunde," Vol. I, and "Neues Archiv, etc.," Vols. II and IX. Pertz, V, *passim*, and VI, pt. 1, 7-170, *passim*. Gooch, "History and Historians in the Nineteenth Century," pp. 64 ff. Bernheim, "Lehrbuch der historischen Methode" (sixth edition), pp. 232 ff., 260 ff. Bibliographies in *Goethe Jahrbuch*, IX (1888) and XXI (1900), and in Wolf, "Einführung in das Studium der neueren Geschichte". (Berlin, 1910), pp. 227-228. A history of the *Monumenta* by H. Bresslau is announced as volume 42 of the *Neues Archiv*.

stitution he had called the most glorious and ideal, the tenth to the thirteenth centuries. After his own thorough-going manner he proceeded to study the subject in the medieval Latin sources, and found that there was no adequate, well edited and complete collection of the annals and chronicles of early German history. The want of well edited texts for the sources of medieval German history had not passed unnoticed, and the resurgent romantic and political interest in this now glorified period of Germany's national history touched others beside Stein. Men like Gatterer, Semler, and the Swiss historian, Johann Müller, had felt and expressed the necessity for their collection and publication. In 1814 Savigny, the well known historian of the Roman law in the middle ages, had outlined an ambitious plan to the Grimm brothers and suggested that they act as secretaries. It was reserved, however for Stein to give such an enterprise hands and feet. As early as 1815 he discussed a plan with Goethe during their journey down the Rhine to Cologne. In 1816 he was busy on a definite scheme for a scholarly coöperative enterprise. The various German governments viewed the plans with doubt and would offer no subsidies. Hardenberg was urged very strongly by scholars in Berlin, but remained coldly indifferent. Emperor Francis, as reported by Gentz, did not look on societies of any kind with favor, and an historical society was naturally less likely than any other to meet his approval. The government seemed willing then, as since, to support any enterprise but one of social and intellectual significance. There is a certain familiar note in Stein's complaint that, "to judge by the activity of academies and governments, one would think the natural history of Brazil, Egypt, Nubia, Cape Colony,

or monkeys, zebras and gazelles had a greater interest for them than their national history." For these things "Berlin, Munich and Vienna would spend great sums, for German history, nothing." "Here is the Bavarian government, which won't do a thing for history, publishing at public cost a history of Brazilian apes and broad-eared bats." However, Stein was not to be balked by such indifference nor by the refusal of such able but impracticable scholars as the historian Dahlmann to coöperate. Dahlmann's reason was that since the Carlsbad Decrees any scholar would lower his dignity by participating in any enterprise that might bring him in the remotest way in contact with the responsible princes and governments. "These professors are a sensitive and unreasonable lot," was Stein's only comment.

By incessant correspondence Stein was able to gather to his support a group of scholars and friends, and the Society for Early German History was formed at Frankfort in January, 1819. Funds for its support were subscribed largely by Stein and by his friends among the nobility. Contributions from any but Germans were steadfastly refused by Stein, even an offer from the Czar Alexander. Had he been able Stein would willingly have carried all the expense. Until his death he was the society's chief financial resource, contributing in all one-fourth of its total cost up to 1831.

The object of the society was, in the words of its founder, "to quicken the interest in German history, to facilitate its thorough study and thus contribute to the love of the common Fatherland and the memory of our great forebears." The motto of the society was his suggestion, *Sanctus amor patriae dat animum,* as

was also the name of the great series of volumes to whose publication the society ultimately devoted itself, the *Monumenta Germaniae Historica.* It was perhaps Stein's greatest service to have found in George Pertz, the royal librarian at Hanover, the right man for the responsible position of editor of the society's publications. Pertz brought order out of the chaotic, half-formed plan, enlisted helpers, dispatched scholars on missions to collect and collate manuscripts, and adopted a plan of publication. By beginning at once with the laws of the Carolingians he was enabled to put the first folio volume of the *Monumenta* in Stein's hands in 1826. A second had come from the press before the latter's death in 1831.

New helpers and more funds for the society came gradually, but in increasing measure. Under Pertz and Böhmer and more especially under their successor, George Waitz, editorial work on the *Monumenta* became the great school in which were trained the German national historians of the nineteenth century. As a popular inspiration to the masses these ponderous volumes of medieval Latin documents could have no vogue, and the translations into German were not much more popular. The present rarity and almost prohibitive price of complete sets of the earlier folio volumes are, however, an evidence of their value in the eyes of modern scholars despite the defects of some of the editorial work in the first issues. Today the three great German academies of Berlin, Munich and Vienna gladly coöperate in the direction and support of this great historical enterprise, which owes its origin and vitality directly to Stein. Almost every country of Europe has initiated a similar publication of the sources of its history. It is not too much to say that

the publication of the first volume of the *Monumenta*, the appearance of Ranke's first volume, the publication of Boeckh's work on Athenian history, and the initiation of the great Heeren-Uckert series of national histories mark the years 1824 to 1826 as the germinative period of modern historical scholarship.

In one other matter only after 1815 were Stein's voice and views heard in official life; that was in the matter of a constitution and representative national diet for Prussia. As has been indicated, Frederick William III and Hardenberg had fallen into the hands of the strong reactionary party in Prussia and throughout Germany and Austria. The fulfillment of the promise of a representative government, made in 1815, was postponed from year to year. In 1817 a commission had been appointed to investigate the old system of provincial diets; and its long drawn out labors resulted in a report in 1823; upon the basis of which the king decreed, not a central national diet but the revival of the eight provincial diets. Stein's views with those of others were called for by the commission and at once prepared and submitted. From these memoirs and other utterances one can easily see how far the ministry and bureaucracy at Berlin had drifted from the ideas and ideals which Stein advocated. His faith in the Prussian people about whom he had often used the harshest language before 1813 was thoroughly restored by their sacrifices and firmness during the Wars of Liberation. He felt that "Germany's independence between Russia and France rested upon Prussia's moral and material strength." The king had no right to twist or repudiate his promises to his people, especially as they were now subject to universal military service and might clearly expect rights in full

consonance with the duties which they performed for the state. Neither should their representatives be limited in their participation in public affairs to petitions or to giving advice on request. Local self-government and its institutions should be developed. "To centralize is to paralyse," and nothing seemed more futile to Stein than government by "a salaried, book-learned, propertyless and indifferent army of bureaucrats" that, irrespective of what happens to the state or to any class, or of what goes on in the world about them, "draw their salaries from the state treasury and sit behind the closed doors of offices and write, write, write, unknown, unnoticed, undistinguished, and educate their children to be the same kind of usable writing machines and then die unmourned." "I saw one machine, the military, collapse on October 14, 1806. Perhaps this writing machine will also have its October 14." "It is not schools alone but participation in the affairs of the whole state which furnish the surest means to the perfection of the moral and intellectual training of a people."

One must not conclude that Stein was in his later years in any sense given over to the ideas of modern democracy. His utterances at times indicate the reaction effected in him since 1807-1808. He appears essentially as an aristocrat in feeling. He had a firm faith in the necessity of preserving such groups as he represented from complete disappearance "in a great swamp, in a nation dissolved like atoms in some chemical solution." "Aristocracy will never disappear . . . , it is too deeply rooted in the human mind; it is to be found everywhere; even in Switzerland the nobles are distinguished from the masses." In the same spirit, although favoring freedom of industry, he believed that

the craft guilds should be retained and quickened with new life. The final form in which the relations between peasant and lord were placed by the regulatory edict of 1816 met with his most vigorous denunciation. He felt that it would destroy all the old sense of responsibility on the part of the lords for their peasantry, at the same time that it did not assure the latter economic independence, but rather left them open to exploitation and reduction to the class of homeless, propertyless day laborers. It is in the memoir partly summarized above that he passes from negative criticism of the plan for provincial diets to a positive statement of his own view of the state. "The state is not simply an agricultural and manufacturing association, but its purpose is religio-ethical, intellectual and physical development. What it seeks to create through its activities is not simply an artistic and industrious people but one that is strong, enterprising, moral and intellectual.'"[4]

When the Westphalian provincial diet was brought into existence in 1826 Stein consented to accept the office of moderator or presiding officer by appointment of the king. He presided over three sessions, in 1826, 1828, and 1830. It was a task more exacting in the difficulties of managing untrained legislators and groups based on class interest than it was rich in rewards for a man of Stein's distinction. He accepted the appointment as a duty to the state, and the respect of the deputies for the veteran statesman, mingled with a lively fear of his ruthless honesty and sharp tongue, enabled him to lead their deliberations and mediate in their differences as no other in all Prussia could have done.

[4] Pertz, V, 750. Lehmann, III, 478 ff.

In the same spirit he accepted a place in the Prussian privy council to which the king appointed him in 1827. He found comfort and encouragement for such demands on an old man in Franklin's autobiography, where Franklin tells of accepting the mission to France at seventy-one and serving until he was eighty. He attended one session of the council and followed with interest and whole-hearted approval the framing of a new municipal law to correct deficiencies in his own decree of 1808. The forming of the Prussian *Zollverein,* the one significant and hopeful measure in the period of the reaction, received his vigorous support, and he aided in securing the adherence of the first important state, Hesse-Darmstadt. He was fully conscious not only of its economic advantages to the lesser states but of its political possibilities in subordinating them in a larger union.

When one turns from the embattled heights of public life, where for years Stein had been a knight in shining armor, and enters with him the path that leads through the quiet fields and the fading light to the long rest, the impulse to linger by the way is almost irresistible. Author and reader and hero alike can now leave behind the confusions of great issues. There is for us now just the man, living day by day in the circle of friends and family, and as the circle narrows and closes ranks, we would fain join with those who would stay the beckoning hand that summons him to his place in the Valhalla.

The wish that Stein had long expressed for his old age was now realized. He could spend his last days in the home of his ancestors. But Nassau under the dominance of its petty duke, the house in the center of the city with its limited gardens, and all the changes

during a long absence, made him feel like a stranger in his boyhood home and led him to spend willingly a good share of his time at his new estate of Kappenberg in Westphalia. He did not himself farm either estate but rented them out in various holdings, reserving only the manor house and gardens, for Stein had developed a real interest in trees and specially roses, and many a grave letter on affairs closes with a request for a new variety of rose bush. He liked to take the friends that sought him out for a walk in the garden.

And there came many, almost too many, when he was in Nassau, for Ems, the then fashionable watering place, was nearby. Stein kept open house, and if any stayed too long or bored him too much his comfort was in the pleasure he felt when they were gone. After the *Monumenta* was under way, his home was a center for the young scholars working on the project. He himself, though he had become partially blind in 1816, worked at examining and copying manuscripts. Even an Italian journey undertaken in 1820 for recreation became in large part a search for new sources and documents. He expected undivided zeal from his collaborators. When he heard that Pertz on one of his journeys to the archives and libraries in Paris had married, he threw the letter on the table and broke out: "Pertz is lost to us. An English bluestocking has caught him in Paris. Scholars who want to accomplish anything should not marry but live together and work like the monks of St. Maur. When they take to holding women on their laps it's all up with them." But when Pertz and his very attractive little English wife returned to Nassau, Stein quite approved of her and welcomed her heartily. Something like a year and a half later he wrote to Gagern: "Pertz writes me that

about one-third or two hundred pages of the second volume of the *Monumenta* is already printed; and," adds Stein, "in the midst of other things he has just edited himself in the form of twins that his wife bore him."

In his reminiscences of Stein, the poet Arndt has given us pictures of him which have, perhaps, a more intimate touch than those left by any other friend. The following description of Stein in a passage characterizing the old minister as he saw him in his last days is worth quoting:

"Freiherr Karl vom Stein was of medium size, short and thick-set rather than tall and slender, with a powerful body and broad German shoulders; everything about him sturdy and fine like one of an ancient race. Upon these shoulders rested a stately head with a broad brow. Under his nose, a veritable eagle's beak, his mouth closed in a firm, decisive line, but his chin was somewhat too long and too pointed. The two great Germans of the nineteenth century, Goethe and Stein (Arndt is writing before the days of Bismarck), looked out upon the world through brown eyes, but with this difference, however, that Goethe's eyes were large and open and regarded his fellow men with a mild glance, while Stein's were smaller and sharper, sparkled and shone more and often darted fire. After the midday meal, in his library or on walks in the twilight through forest, field and meadow, or again at the cheerful tea-table surrounded by his children and guests, then it was that he unbent, when in good health, and sparkled and shone. Even his earnest calm was shot through with life and good cheer as he simply sat quietly among us, animated and benign, with his

friendly beaming eyes, his broad, high-arched and shining brow where were enthroned power and intellect—a brow that revealed strength, courage and understanding together with uprightness, truth and loyalty. The impression of this was so strong that one involuntarily bowed in reverence before such a great spirit. There was revealed here a truly Olympian greatness which ruled without commands or expressed will. Even when he was displeased or angry no shadows darkened his Olympian brow; the mists and thunder-clouds touched only the lower part of his countenance where in quickly changing expressions the commoner earthly powers and passions had free play around the pointed chin and firm-set lips. . . ."

Although now far from a place in the direction of the world's great affairs, Stein followed world history with the keenest interest. The struggles of the Greeks for independence enlisted his sympathy, as it did that of all the western liberal and scholarly world, and Stein was for years one of its generous financial supporters. The revolt of Spain's South American colonies equally aroused his sympathies and touched his imagination even more than did the story of the American Revolution.[5] German migration and colonization are topics appearing in his letters, and in one he suggests the wisdom of Prussia's starting a penal colony in Brazil. As for himself, he says, "If I should come to earth again without my estates in Nassau and Cappenburg, I should go to the banks of the Missouri or to the Mississippi."

His reading in all fields was extensive. History remained as always his favorite subject, and of his knowledge Böhmer, one of the most talented of the staff of

[5] Pertz, VI, Pt. I, 136, 137, 148, 149.

the *Monumenta*, said that it was far sounder than that of many professors of the subject. His letters would furnish a fairly adequate bibliography of the chief German historical works and memoirs on the revolutionary period published in the years between 1815 and 1831. Scarcely second to this was his reading in the fields of French periodicals such as the *Journal des Débats*, and abstracts of parliamentary discussions came regularly to his table. He bought freely for his own library and borrowed steadily from the Bonn library.[6] In one letter he tells of having gone through some thirty volumes of the discussions of the Bavarian Diet and wishes he might be supplied with similar records for the other states having representative bodies. Although absorbed in supporting a publication of the sources for medieval history, he thinks, "It is to be regretted that we here in Germany are more interested in ancient and foreign lands, more concerned with the patricians and plebeians, the Egyptian dynastic succession of Rameses the First, Second, Third, than we are in things at home. . . ."

Stein had always been profoundly religious, with a deep and living faith, sturdily Protestant and Lutheran, but tolerant of all Christian creeds, and numbering among his friends many earnest and active Catholics. He never talked religion nor made any parade of his sentiments. To do this would have been entirely alien to the character of the man. But no sceptic or scoffer at the finer things of life, even though he were a prince, went unrebuked in Stein's presence.[7] In Nassau Stein was a steady attendant at

[6] Gagern, IV, 280.

[7] As Duke Ernst August of Saxe-Weimar learned once to his confusion. On one occasion the duke while talking to a group including

church, sitting out many a dull sermon just for the hope that perhaps a hymn or an anthem would give him something to carry away. "The affairs of heaven on earth are often tiresome but we must learn patience, and I hope in heaven the pleasure will be more cheerful and joyous." But not all the faiths and creeds and philosophy of patience and self-suppression could make the fiery, high-spirited knight other than he had always been, often hasty and harsh in his judgment and unrestrained in his expression of the feeling of the passing moment; but, be it said, less considerate of princes than of peasants, and never domineering nor brow-beating any one who had opinions and stood up for them.

As years went by Death gathered ever faster his harvest of the friends and associates of Stein's greater years. The beloved wife died in 1819, and Blücher in the same year. The death of the Czar Alexander affected him more deeply than that of any other friend of his greater years. His tears flowed freely at the loss of a true friend to whom he felt he "owed the restoration of his political career and a profound and

younger men told a number of doubtful stories concerning the poet Werner who had lived at his court. The duke, entirely unconscious of the gathering thundercloud on Stein's countenance, expounded the poet's philosophy of sensualism as the means by which Werner hoped to find his divinely appointed soul-mate, and ended, "such was his poetic theory of nature." "You had better say, his 'princely,'" broke in Stein. The duke turned the matter into a generalization that every man had had some similar experience. "And you, too, have probably not always lived like Joseph," he said, turning to Stein. "Even if I had not it would not be anyone's business, and I have always despised smutty stories and do not consider it proper for a German prince to tell them in the presence of young officers." The patron of Goethe and Schiller was speechless and a deathly silence ensued. After a few minutes the duke stroked his face and resumed the conversation as if nothing had happened.

unchanging sense of gratitude." His daughters married. The older daughter, Henrietta, with her excellent husband remained in Nassau to make Stein's home and to succeed him in the manor house, for there was no son to preserve the family name and estates. To his aged tutor of the Göttingen student days he wrote: "We can summon the shades of our friends and acquaintances and walk with them." His partial blindness, recurring attacks of gout and the ills incident to old age brought the thought of death near to Stein, and he spoke more and more often of the welcome release soon to come. "What is death?" he asks, and answers his own question with the poet Gleim's lines:

"Unser Freund; in allen Leiden
Unser Trost; in aller Noth
Unser Helfer; aller Freuden
Beste Hoffnung; jedes Joch
Wird von ihm uns abgenommen
Und, auf ewig."

Among the plans long cherished by Stein, and now included in the building and repairing upon his neglected estates, was the rehabilitation of the tomb of his forefathers in the little village of Frücht, on his favorite estate of that name. The hamlet lies something like an hour's walk to the south of Ems, some fifteen miles from Nassau and back from the highways of travel along the Lahn and the Rhine. It seems to the traveler of today dirty, neglected and all but forgotten. One thing only saves it from oblivion. It is the burial place of Stein. Death came to him June 29, 1831, at Kappenberg[8] in Westphalia, where he had lived and labored in early manhood. His body was borne

[8] *Cf.* Lappe, "Freiherr vom Stein als Gutsherr auf Kappenberg," (Münster, 1920).

back by way of Cologne and Bonn, to be laid beside his wife and parents in the tomb he had built amid the cedars and cypress he had planted. Over his tomb his children placed this epitaph: "He was humble before God and high-minded towards men; the foe of lies and of injustice; greatly gifted in his spirit of duty and loyalty; inflexible when an outlaw and an exile; the son of a humiliated Fatherland, whose own head remained erect; one of the Liberators of Germany in conflict and in victory."

The Prussian monarchy and Germany, under the influence of the age of Metternich and the leadership of Bismarck and William II, departed widely from the path of wise and gradual advance toward self-government marked out by Stein. The end was ruin more appalling than the days of Jena. Today their Germany is prostrate amid the wreck of the Europe it has pulled down in a catastrophic war. The Hohenzollerns are exiles, and Germany itself is a republic. An army of occupation, soldiers from a great self-governing republic beyond the seas, guard the grave of Stein. He who sleeps in the forgotten tomb on the hill may yet be justified by his failures. In that day a newer and better Germany will pay its tribute of gratitude to the one immortal German statesman who sought to embody in public life ethical and moral judgments that must lie at the heart of all sound national life and all enduring international relations



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